

Also, a bill (H. R. 26700) granting a pension to Larkin Russell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 26701) granting an increase of pension to Regina F. Palmer; to the Committee on Invalid Pensions.

By Mr. LEE of Georgia: A bill (H. R. 26702) granting a pension to Stacy Ann Wacker; to the Committee on Invalid Pensions.

By Mr. LITTLEPAGE: A bill (H. R. 26703) granting an increase of pension to James Youell, alias James Moses; to the Committee on Invalid Pensions.

Also, a bill (H. R. 26704) granting an increase of pension to George W. Connelly; to the Committee on Invalid Pensions.

Also, a bill (H. R. 26705) for the relief of the legal representatives of George W. McGinnis; to the Committee on War Claims.

By Mr. MARTIN of South Dakota: A bill (H. R. 26706) granting an increase of pension to Alonzo Wagoner; to the Committee on Invalid Pensions.

By Mr. NORRIS: A bill (H. R. 26707) granting an increase of pension to John H. Yarger; to the Committee on Invalid Pensions.

By Mr. O'SHAUNESSY: A bill (H. R. 26708) granting an increase of pension to Margurite D. Pollard; to the Committee on Invalid Pensions.

By Mr. PALMER: A bill (H. R. 26709) granting a pension to Ezra R. Fuller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 26710) for the relief of John S. Dorshimer; to the Committee on Military Affairs.

By Mr. POST: A bill (H. R. 26711) granting an increase of pension to T. J. Lindsey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 26712) granting an increase of pension to Zachariah T. Alexander; to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 26713) granting a pension to George W. Hilton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 26714) granting an increase of pension to Newton D. Cantwell; to the Committee on Pensions.

Also, a bill (H. R. 26715) granting an increase of pension to Lefford Mathews; to the Committee on Invalid Pensions.

By Mr. SCULLY: A bill (H. R. 26716) granting an increase of pension to John I. White; to the Committee on Invalid Pensions.

By Mr. SHERWOOD: A bill (H. R. 26717) granting an increase of pension to Sarah J. Cooper; to the Committee on Invalid Pensions.

Also, a bill (H. R. 26718) granting an increase of pension to Sarah J. Hill; to the Committee on Invalid Pensions.

By Mr. SWITZER: A bill (H. R. 26719) granting a pension to James C. Boyd; to the Committee on Invalid Pensions.

Also, a bill (H. R. 26720) granting a pension to Homer Hoover; to the Committee on Invalid Pensions.

Also, a bill (H. R. 26721) granting an increase of pension to Alexander R. Cating; to the Committee on Invalid Pensions.

By Mr. TILSON: A bill (H. R. 26722) granting an increase of pension to John B. Doolittle; to the Committee on Invalid Pensions.

By Mr. TOWNER: A bill (H. R. 26723) granting a pension to Mary A. Millsap; to the Committee on Invalid Pensions.

By Mr. WHITACRE: A bill (H. R. 26724) granting an increase of pension to Chalkley Milbourne; to the Committee on Invalid Pensions.

Also, a bill (H. R. 26725) granting an increase of pension to John A. Sapp; to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Memorial of the American Chamber of Commerce in Paris, favoring the enactment of legislation tending to restore the American merchant marine to its former importance; to the Committee on the Merchant Marine and Fisheries.

By Mr. ASHBROOK: Evidence to accompany bill (H. R. 16469) for the relief of Lucien B. Beaumont; to the Committee on Invalid Pensions.

By Mr. AYRES: Petition of the Chamber of Commerce of New York City, protesting against the General Board of Appraisers of New York customhouse being placed under control of Treasury Department; to the Committee on Expenditures in the Treasury Department.

By Mr. DRAPER: Petition of the Chamber of Commerce of the State of New York, protesting against placing the Board of General Appraisers under any department of the Government; to the Committee on Expenditures in the Treasury Department.

By Mr. ESCH: Petition of business men of Thorp, Strum, Eleva, Osseo, Mondovi, Eau Claire, Fairchild, Greenwood,

Withee, and Owen, Wis., all asking that the Interstate Commerce Commission be given further power toward controlling the express rates; to the Committee on Interstate and Foreign Commerce.

By Mr. FOSS: Petition of Lake Michigan Sanitary Association, Chicago, Ill., favoring an appropriation to investigate the extent of pollution in the lake waters; to the Committee on Interstate and Foreign Commerce.

By Mr. GARRETT: Papers to accompany bill granting an increase of pension to Daniel H. Rankin; to the Committee on Invalid Pensions.

Also, papers to accompany bill for granting a pension to Levi William Walden; to the Committee on Pensions.

By Mr. MANN: Petition of the Deep Gulf Waterways Association, Little Rock, Ark., relative to the improvement of the Mississippi River and its harbors, etc.; to the Committee on Rivers and Harbors.

Also, petition of Division No. 1, Order of Railway Conductors, protesting against the passage of the employers' liability and workmen's compensation bill; to the Committee on the Judiciary.

Also, petition of the Lake Michigan Sanitary Association, relative to preventing the pollution of the waters of the Great Lakes; to the Committee on Interstate and Foreign Commerce.

By Mr. MOORE of Pennsylvania: Petition of the Supreme Council of the Order of United Commercial Travelers of America, favoring the passage of House bill 17736, changing the letter-postage rate to 1 cent; to the Committee on the Post Office and Post Roads.

Also, petition of the Supreme Council of the Order of United Commercial Travelers of America, favoring the enactment of legislation changing the date of the national election; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. REILLY: Petition of the Supreme Council of the Order of United Commercial Travelers of America, favoring the reduction of letter-postage rate to 1 cent; to the Committee on the Post Office and Post Roads.

Also, petition of the Supreme Council of the Order of United Commercial Travelers of America, favoring a change in the date of the national election; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. STEPHENS of California: Petition of W. S. Hancock Council No. 20, Junior Order United American Mechanics, Los Angeles, Cal., favoring the passage of Senate bill 3175, for restriction of immigration; to the Committee on Immigration and Naturalization.

By Mr. STEPHENS of Texas: Petition of citizens of the thirtieth congressional district of Texas, favoring passage of bill for eradication of the Russian thistle; to the Committee on Agriculture.

By Mr. SULZER: Petition of citizens of New York and Pittsburgh, Pa., favoring the passage of House bill 26277, establishing a United States Court of Appeals; to the Committee on the Judiciary.

By Mr. TILSON: Petition of the Chamber of Commerce of New Haven, Conn., favoring the passage of bill making appropriation for the improvement of the New Haven Harbor; to the Committee on Appropriations.

#### SENATE.

THURSDAY, December 5, 1912.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

LUKE LEA, a Senator from the State of Tennessee, and ROBERT L. OWEN, a Senator from the State of Oklahoma, appeared in their seats to-day.

The Journal of yesterday's proceedings was read and approved.

ANNUAL REPORT OF THE ATTORNEY GENERAL (H. DOC. NO. 930).

The PRESIDENT pro tempore (Mr. BACON) laid before the Senate the annual report of the Attorney General for the fiscal year ended June 30, 1912, which was ordered to lie on the table and be printed.

CITIZENSHIP IN PORTO RICO (S. DOC. NO. 968).

The PRESIDENT pro tempore laid before the Senate a communication from the Chief of the Bureau of Insular Affairs, transmitting, at the request of the Governor of Porto Rico, a petition adopted at a mass meeting of workmen of Porto Rico, praying for the enactment of legislation granting American citizenship to the people of that Territory, which was referred to the Committee on Pacific Islands and Porto Rico and ordered to be printed.

## MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, transmitted to the Senate resolutions of the House on the death of Hon. WELDON BRINTON HEYBURN, late a Senator from the State of Idaho.

The message also transmitted to the Senate resolutions of the House on the death of Hon. ISIDOR RAYNER, late a Senator from the State of Maryland.

The message further communicated to the Senate the intelligence of the death of Hon. GEORGE HERBERT UTTER, late a Representative from the State of Rhode Island, and transmitted resolutions of the House thereon.

The message also communicated to the Senate the intelligence of the death of Hon. RICHARD E. CONNELL, late a Representative from the State of New York, and transmitted resolutions of the House thereon.

The message further communicated to the Senate the intelligence of the death of Hon. CARL CAREY ANDERSON, late a Representative from the State of Ohio, and transmitted resolutions of the House thereon.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 16450. An act to punish the unlawful breaking of seals of railroad cars containing interstate or foreign shipments, the unlawful entering of such cars, the stealing of freight and express packages or baggage or articles in process of transportation in interstate shipment, and the felonious asportation of such freight or express packages or baggage or articles therefrom into another district of the United States, and the felonious possession or reception of the same; and

H. R. 17470. An act to pension widow and minor children of any officer or enlisted man who served in the War with Spain or Philippine insurrection.

## PETITIONS AND MEMORIALS.

Mr. BRANDEGEE. I present resolutions adopted by the board of directors of the American Institute of Electrical Engineers, of New York, relating to the American patent system. I ask that the resolutions be printed in the RECORD and referred to the Committee on Patents.

There being no objection, the resolutions were referred to the Committee on Patents and ordered to be printed in the RECORD, as follows:

## AMERICAN PATENT SYSTEM.

(Resolutions adopted by the board of directors of the American Institute of Electrical Engineers, Nov. 8, 1912.)

AMERICAN INSTITUTE OF ELECTRICAL ENGINEERS.  
New York.

Whereas there are pending before the Congress numerous bills affecting and greatly modifying the patent system in the United States; and Whereas the patent system has been and is a tremendous factor in building up the present industrial prosperity of this country, thereby greatly contributing to the prosperity of the country as a whole; and Whereas any untoward change in the patent situation might disastrously affect this condition of industrial and general prosperity and the conditions contributing to their continual augmentation; and Whereas in view of the intimate relation of the patent system to the general welfare, no action looking toward any radical change in the patent system should be taken without most careful consideration; and

Whereas in our opinion proper consideration of such important changes as are proposed can be had only by an unbiased, nonpartisan commission made up of men from various walks of life and not from any one vocation or interest: Be it

Resolved, That the American Institute of Electrical Engineers, acting through its officers and board of directors, respectfully urge the Congress of the United States that they provide for a commission made up of unbiased, independent, nonpartisan men of such national standing as will command the respect of the whole country, and chosen from different walks of life, and not more than one from any one calling or interest, and serving without pay. Such commission to hold public hearings and otherwise, as may appear to them best, to make a thorough and careful study of the American patent situation and to prepare and submit a comprehensive report and recommendations to Congress for such changes, if any, as may, as the result of their study, appear to them expedient, whether in the Patent Office, in the method of court procedure, or in the organic patent law, and recommendations as to the legislation they would propose for effecting said changes. And that we further respectfully urge that the Congress make ample provision for the expenses of said commission; and be it

Resolved, That we respectfully urge the Congress of the United States to hold in abeyance all proposed legislation affecting the patent system in whatsoever way until such time as the said commission shall have had ample opportunity to hold the said hearings and make the said study and report; and be it further

Resolved, That these resolutions be printed and a copy be sent to each Senator and Representative of the United States who is a member of the Senate or House Committee on Patents.

RALPH D. MERRISON, President.  
F. L. HUTCHINSON, Secretary.

Mr. SUTHERLAND presented a petition of the Utah Federation of Women's Clubs, praying for the establishment of agricultural extension departments in connection with the agricultural colleges in the several States, which was referred to the Committee on Agriculture and Forestry.

Mr. McLEAN presented a petition of the Chamber of Commerce of New Haven, Conn., praying for the creation of a final court of patent appeals, which was referred to the Committee on Patents.

He also presented a petition of the Chamber of Commerce of New Haven, Conn., praying that an appropriation be made for the improvement of the harbor at that city, which was referred to the Committee on Commerce.

Mr. JOHNSON of Maine presented a petition of the congregation of the First Baptist Church of Yarmouth, Me., praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which was ordered to lie on the table.

JAMES C. ESLOW.

Mr. CLARK of Wyoming, from the Committee on the Judiciary, to which was referred the bill (S. 6022) for the relief of James C. Eslow, asked to be discharged from its further consideration and that it be referred to the Committee on Claims, which was agreed to.

## AMERICAN RED CROSS.

Mr. CLARK of Wyoming. From the Committee on the Judiciary I report back favorably without amendment the bill (H. R. 20287) to amend section 5 of the act entitled "An act to incorporate the American Red Cross," approved January 5, 1905, and I ask for its immediate consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to amend section 5 of the act for the incorporation of the American National Red Cross, approved January 5, 1905, so that the annual meeting of the organization shall hereafter be held on Wednesday preceding the second Thursday in the month of December in each and every year.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## FERRO LIGHT STATION, PORTO RICO.

Mr. NELSON. From the Committee on Commerce I report back favorably without amendment the bill (S. 7531) to authorize the Secretary of Commerce and Labor to purchase certain land required for lighthouse purposes at Port Ferro Light Station, Porto Rico, and I submit a report (No. 1070) thereon. I ask for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

## BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CULLOM:

A bill (S. 7599) authorizing the reappointment of Midshipman Walter J. Tigan, recently dismissed from the Naval Academy for hazing; to the Committee on Naval Affairs.

By Mr. MASSEY:

A bill (S. 7600) legalizing certain conveyances heretofore made by the Central Pacific Railroad Co. and others, within the State of Nevada; to the Committee on the Judiciary.

By Mr. LODGE:

A bill (S. 7601) granting a pension to Lulu W. Gallagher (with accompanying papers); to the Committee on Pensions.

By Mr. WARREN:

A bill (S. 7602) for the relief of Fred C. and C. Hellen Fisher; to the Committee on Public Lands.

A bill (S. 7603) granting an increase of pension to Mary A. Hubbell (with accompanying paper); and

A bill (S. 7604) granting an increase of pension to Mary E. Lafontaine (with accompanying papers); to the Committee on Pensions.

A bill (S. 7605) for the relief of Theresa A. Murray (with accompanying papers); to the Committee on Claims.

By Mr. PENROSE:

A bill (S. 7606) granting an increase of pension to Charles Bridger, alias Charles Mahoney (with accompanying paper); to the Committee on Pensions.

By Mr. McLEAN:

A bill (S. 7607) granting an increase of pension to Melly L. Smith Ford (with accompanying papers); and

A bill (S. 7608) granting an increase of pension to Eliza J. Sparrow (with accompanying papers); to the Committee on Pensions.

By Mr. STEPHENSON:

A bill (S. 7609) granting a pension to Mettie I. Liskum (with accompanying papers);



A bill (S. 7610) granting an increase of pension to Horace L. Chadbourne (with accompanying papers); and

A bill (S. 7611) granting an increase of pension to Edward R. Dudley (with accompanying papers); to the Committee on Pensions.

By Mr. JOHNSON of Maine:

A bill (S. 7612) granting an increase of pension to Daniel H. Strout (with accompanying papers);

A bill (S. 7613) granting an increase of pension to Erastus G. Cummings (with accompanying paper); and

A bill (S. 7614) granting an increase of pension to Fred F. Harris (with accompanying papers); to the Committee on Pensions.

By Mr. WETMORE:

A bill (S. 7615) granting an increase of pension to Lucy H. Collins (with accompanying paper); to the Committee on Pensions.

By Mr. LA FOLLETTE:

A bill (S. 7616) granting a pension to Huldah Nesbitt; and

A bill (S. 7617) granting an increase of pension to Elisha L. Ashley; to the Committee on Pensions.

AGRICULTURAL CREDIT SYSTEM (S. DOCS. NOS. 966 AND 967).

Mr. FLETCHER. I ask to have printed as a document a preliminary report on land and agricultural credit in Europe and also a communication from the International Institute of Agriculture, entitled "The way out of the rut." I ask that they be printed separately.

The PRESIDENT pro tempore. The Senator from Florida asks that the two papers which he has submitted to the Senate be each printed as a Senate document. Without objection, it will be so ordered.

LINCOLN MEMORIAL COMMISSION (S. DOC. NO. 965).

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which was read, and, on motion of Mr. CULLOM, was, with the accompanying papers and illustrations, referred to the Committee on the Library and ordered to be printed:

*To the Senate and House of Representatives:*

I beg herewith to submit a report of the Lincoln Memorial Commission and its recommendation upon the location, plan, and design for a memorial in the city of Washington, D. C., to the memory of Abraham Lincoln, in accordance with an act providing a commission to secure plans and designs for a monument or memorial to the memory of Abraham Lincoln, approved February 9, 1911.

WM. H. TAFT.

THE WHITE HOUSE, December 5, 1912.

#### HOUSE BILLS REFERRED.

H. R. 16450. An act to punish the unlawful breaking of seals of railroad cars containing interstate or foreign shipments, the unlawful entering of such cars, the stealing of freight and express packages or baggage or articles in process of transportation in interstate shipment, and the felonious asportation of such freight or express packages or baggage or articles therefrom into another district of the United States, and the felonious possession or reception of the same, was read twice by its title and referred to the Committee on Interstate Commerce.

H. R. 17470. An act to pension widow and minor children of any officer or enlisted man who served in the War with Spain or Philippine insurrection, was read twice by its title and referred to the Committee on Pensions.

#### OMNIBUS CLAIMS BILL.

Mr. CRAWFORD. I move that the Senate proceed with the further consideration of House bill 19115, known as the omnibus claims bill.

The motion was agreed to, and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 19115) making appropriation for payment of certain claims in accordance with findings of the Court of Claims reported under the provisions of the acts approved March 3, 1883, and March 3, 1887, and commonly known as the Bowman and the Tucker Acts.

Mr. CRAWFORD. Let the reading for the purpose of considering the committee amendments be resumed.

The PRESIDENT pro tempore. The reading of the bill will be continued.

The Secretary resumed the reading of the bill at line 15, on page 107.

The next amendment of the Committee on Claims was, on page 107, under the subhead "Virginia," after line 18, to strike out:

To the trustees of Oak Grove Methodist Episcopal Church, of Reams Station, \$800.

The amendment was agreed to.

The next amendment was, at the top of page 108, to strike out:

To the trustees of St. Paul's Free Church, of Rounts Hills, \$600.

The amendment was agreed to.

The next amendment was, on page 108, after line 4, to strike out:

To the trustees of the Wilderness Baptist Church, of Spottsylvania County, \$300.

The amendment was agreed to.

The next amendment was, on page 108, after line 8, to strike out:

To the vestry of Aquia Protestant Episcopal Church, of Stafford County, \$1,500.

To the trustees of Berea Baptist Church, of Stafford County, \$600.

To the trustees of Hartwood Presbyterian Church, of Stafford County, \$800.

To the trustees of Macedonia Methodist Episcopal Church, of Stafford County, \$310.

To the trustees of the Methodist Episcopal Church South, of Stephens City, \$500.

To the trustees of Trinity Lutheran Church, of Stephens City, \$500.

To the trustees of the Presbyterian Church of Strasburg, \$730.

To the First Baptist Church of Suffolk, \$550.

To the trustees of the Methodist Episcopal Church South, of Suffolk, Nansemond County, \$2,100.

To the trustees of the Providence Methodist Episcopal Church, near Suffolk, Nansemond County, \$890.

To the vestry of The Plains Episcopal Church, of The Plains, \$550.

To the trustees of the Lutheran Church, of Toms Brook, and the trustees of the Reformed Church, of Toms Brook, successors to the Union Church, of Toms Brook, \$250.

To the trustees of the Methodist Episcopal Church South, of Unison, \$150.

The amendment was agreed to.

The next amendment was, on page 109, after line 16, to strike out:

To the trustees of the Old School Baptist Church, of Upperville, \$250.

To the trustees of the Methodist Episcopal Church South, of Warrenton, \$1,190.

To the trustees of the Presbyterian Church of Warrenton, \$890.

To the trustees of the Baptist Church of Waterford, \$525.

To the trustees of the Baptist Church of Williamsburg, \$1,540.

To the trustees of the Methodist Episcopal Church South, of Williamsburg, \$1,300.

To the trustees of the Grace Evangelical Lutheran Church, of Winchester, \$810.

To the trustees of John Mann Methodist Episcopal Church (colored), of Winchester, \$600.

To the trustees of the Kent Street Presbyterian Church, of Winchester, \$2,750.

To the trustees of the Loudoun Street Presbyterian Church, of Winchester, \$2,600.

To the trustees of the Market Street Methodist Episcopal Church, of Winchester, \$1,740.

To the trustees of the St. Paul Reformed Church, of Woodstock, \$325.

To the trustees of the Presbyterian Church of McDowell, Highland County, \$150.

The amendment was agreed to.

The next amendment was, on page 110, after line 19, to insert:

To the trustees of Chestnut Fork Old School Baptist Church, of Culpeper County, \$1,180.

The amendment was agreed to.

The next amendment was, on page 110, after line 22, to insert:

To the trustees of the Methodist Episcopal Church South, of Fairfax Court House, \$1,000.

The amendment was agreed to.

The next amendment was, at the top of page 111, to insert:

To the trustees of Warrenton Academy, of Warrenton, \$1,200.

The amendment was agreed to.

The next amendment was, on page 111, after line 2, to strike out:

#### WASHINGTON.

To Joseph Hinson, of Pierce County, \$115.41.

The amendment was agreed to.

The next amendment was, under the heading "West Virginia," on page 111, after line 6, to strike out:

To Sarah A. Bodkin, widow of William H. Bodkin, deceased, late of Upshur County, \$278.50.

To Mary E. Buckley, of Beverly, \$115.

To Charles Cook, administrator of John Cook, deceased, late of Fayette County, \$550.

To Lorenzo D. Corrick, administrator of the estate of William Corrick, deceased, late of Tucker County, \$150.

To Edward M. Craig, administrator of the estate of George W. Craig, deceased, late of Mason County, \$2,114.

To Andrew Crouch, Newton Crouch, and B. L. Butcher, executors of Jacob Crouch, deceased, late of Randolph County, \$3,710.

To John T. Sharp, administrator of the estate of George Dickson, deceased, late of Fayette County, \$99.

To John Fitz, executor of Samuel Fitz, deceased, late of Martinsburg, \$1,200.

To Mary Foreman, widow of Jacob J. Foreman, deceased, late of Berkeley County, \$816.

To John H. Fout, administrator of the estate of George Fout, deceased, of Grant County, \$780.

To Mary V. Chambers, administratrix of the estate of Lydia A. Hockensmith, deceased, late of Jefferson County, \$395.

To T. J. Hudson, administrator of the estate of Jacob W. Hudson, deceased, of Lewis County, \$15.

To L. H. Kelly, administrator of the estate of John McH. Kelly and Allie V. Kelly, deceased, of Braxton County, \$535.  
 To Joseph Loudermilk, of Monroe County, \$530.  
 To James S. Lucas, administrator of the estate of Catharine S. Lucas, deceased, of Jefferson County, \$710.  
 To Ruth Milbourn, Louise V. Milbourn, and Henry W. Milbourn, sole heirs of the estate of Oliver Milbourn, deceased, late of Jefferson County, \$430.

To Sarah Miller, of Monroe County, \$620.  
 To William W. Myers, executor of James W. Myers, deceased, late of Jefferson County, \$650.

To Henry O'Bannon and William A. O'Bannon, sole heirs of Alfred O'Bannon, deceased, late of Jefferson County, \$304.

To J. W. Gardner, administrator of the estate of F. A. Roeder, deceased, late of Jefferson County, \$320.

To John T. Sharp, administrator of the estate of John Sharp, deceased, late of Fayette County, \$340.

To L. H. Briscoe, sole heir of Maria Shirley, deceased, late of Jefferson County, \$260.

To Joseph C. Smith, of Jefferson County, \$620.

To James M. Stephenson, of Mason County, \$244.

To David Tuckwiller and Sarah Bettie Wilson, of Greenbrier County, \$600.

To the trustees of the Methodist Episcopal Church South, of Barboursville, \$500.

To the trustees of the Presbyterian Church of Beverly, \$1,500.

To the trustees of the Methodist Episcopal Church of Bunker Hill, \$1,000.

To the trustees of the Free Church of Burlington, Mineral County, \$895.

To the trustees of the Methodist Episcopal Church South, of Charlestown, \$600.

To the trustees of St. John's Episcopal Church, of Charleston, \$1,850.

To the trustees of Zion Protestant Episcopal Church, of Charlestown, \$540.

To the trustees of the Methodist Episcopal Church South, of Clarksburg, \$1,400.

To the trustees of the Presbyterian Church of Clarksburg, \$525.

To the trustees of Elk Branch Presbyterian Church, of Duffields, \$600.

The amendment was agreed to.

The next amendment was, on page 114, after line 20, to strike out:

To the trustees of the Methodist Episcopal Church of Flatwoods, \$390.

To the trustees of the Fetterman (now West Main Street) Episcopal Church, of Grafon, \$490.

The amendment was agreed to.

The next amendment was, on page 115, after line 4, to strike out:

To the trustees of St. John's Protestant Episcopal Church, of Harpers Ferry, \$1,700.

To the trustees of the Presbyterian Church of Huttonsville, \$791.

To the trustees of the Trinity Protestant Episcopal Church, of Martinsburg, \$1,340.

To the trustees of the Methodist Protestant Church of Middleway, \$825.

To the trustees of the Presbyterian Church of Moorefield, \$1,430.

The amendment was agreed to.

The next amendment was, on page 115, after line 20, to strike out:

To the trustees of the Methodist Episcopal Church of Philippi, \$600.

To the trustees of the Mount Olivet Primitive Baptist Church, of Philippi, \$250.

To the trustees of the Methodist Episcopal Church South, of Point Pleasant, \$1,090.

To the trustees of the Methodist Episcopal Church South, of St. Albans, \$1,400.

To the wardens and vestrymen of St. Mark's Protestant Episcopal Church, of St. Albans, \$2,400.

To the treasurer of Caledonia Lodge, No. 4, Independent Order of Odd Fellows, of Shepherdstown, \$115.

To the trustees of the Presbyterian Church of Springfield, \$600.

To the trustees of St. John's Catholic Church, of Summersville, \$1,050.

The amendment was agreed to.

The next amendment was, on page 116, after line 14, to strike out:

To the trustees of the Methodist Episcopal Church of Webster, \$450.

The amendment was agreed to.

The next amendment was, on page 116, after line 16, to insert:

To the trustees of the Methodist Episcopal Church South, of Glenville, \$890.

The amendment was agreed to.

The next amendment was, on page 116, after line 18, to strike out:

#### WISCONSIN.

To Irving V. Bliss, of Milwaukee, \$334.22.

To Ole Jacobson, of Walworth County, \$138.78.

To Hiram F. Lyke, of Waukesha County, \$188.56.

The amendment was agreed to.

The next amendment was, at the top of page 117, to insert:

CLAIMS FOR OVERTIME DUE EMPLOYEES IN UNITED STATES NAVY YARDS.

#### CALIFORNIA.

To the following-named persons (representing six claims) the following sums, respectively, as found by the Court of Claims in the case of James Blessington and others against the United States, for payment for extra labor above the legal day of eight hours at the Mare Island Navy Yard, namely:

James Blessington, \$701.76.

Thomas Coffey, \$393.43.

Nathaniel Damuth, \$431.30.

Thomas W. Dixon, \$35.70.

Louisa Keyes, widow of James H. Keyes, deceased, \$487.40.

Thomas Ney, \$294.

The amendment was agreed to.

The next amendment was to insert after line 19, page 117:

To the following-named persons (representing 11 claims) the following sums, respectively, as found by the Court of Claims in the case of Joseph Bortea and others against the United States, for payment for extra labor above the legal day of eight hours at the Mare Island Navy Yard, namely:

Ira M. Butler, \$146.12.

Orin S. Cooper, \$76.48.

J. H. Dalton, \$467.62.

Daniel Gray, \$81.50.

William Hooper, \$57.17.

James Macarty, \$484.83.

Jonathan Newcomb, Jr., \$108.75.

Ira M. Butler, executor of O. H. Butler, deceased, \$579.92.

Margaret Geary, widow of Michael Geary, deceased, \$275.

Katherine Lipp, widow of Charles M. Lipp, deceased, \$63.92.

Katherine Maher, widow of John Maher, deceased, \$340.66.

The amendment was agreed to.

The next amendment was, after line 19, page 118, to insert:

To the following-named persons (representing 34 claims) the following sums, respectively, as found by the Court of Claims in the case of Ellen Brew, widow of Frank Brew, deceased, and others against the United States, for payment for extra labor above the legal day of eight hours at the Mare Island Navy Yard, namely:

Ellen Brew, widow of Frank Brew, deceased, \$411.11.

James Brosanahan, \$61.35.

William A. Brown, \$379.96.

Dorothea T. Bryant, widow of John Bryant, deceased, \$353.31.

Edward Campton, \$447.62.

Henry Cassidy, \$129.64.

Dennis Corbett, \$9.18.

Kennedy Creighton, \$226.28.

Retta A. Hawes, widow of Henry A. Hawes, deceased, \$266.75.

Corlis Hinds, \$324.53.

Julia Lee, widow of Edward Lee, deceased, \$191.40.

John Lynch, \$84.69.

Duncan McLean, \$514.60.

Henry MacKenzie, \$179.66.

Patrick Mayoeh, \$10.64.

Charles Orilleb, \$456.17.

Elias Shillingsburg, \$275.05.

Ann Sweeney, widow of James Sweeney, deceased, \$262.25.

William H. Taylor, \$328.53.

Patrick O'Day, \$474.89.

William Farrell, \$267.01.

Charles John Wall, \$184.16.

William A. Brace, \$28.25.

Charles C. Crocker, \$337.20.

Louise T. Farley, widow of D. J. Farley, deceased, \$512.32.

Mrs. John Harvey, widow of John Harvey, deceased, \$12.24.

Mary J. Towle, widow of Benjamin C. Towle, deceased, \$78.59.

George Osborne, \$451.86.

Mary Riley, widow of Theodore Riley, deceased, \$406.49.

John Thompson, \$410.40.

Rosa King, widow of Joseph King, deceased, \$567.64.

Albert Sylvester, \$241.27.

John Wise, \$19.43.

Sarah A. Dunbar, widow of Joseph J. Dunbar, deceased, \$498.99.

Olive A. Sides, widow of George E. Sides, deceased, \$489.21.

Mary G. Lockwood, widow and executrix of William Harrison Lockwood, deceased, \$438.07.

The amendment was agreed to.

The next amendment was, on page 121, after line 21, to insert:

#### DISTRICT OF COLUMBIA.

To the following-named persons (representing 46 claims) the following sums, respectively, as found by the Court of Claims in the case of Mary E. Alcorn, widow of John Alcorn, deceased, and others against the United States, for payment for extra labor above the legal day of eight hours at the Washington Navy Yard, namely:

Mary E. Alcorn, widow of John Alcorn, deceased, \$471.78.

George G. Auguste, \$261.79.

Adaline Bivens, widow of Thomas H. Bivens, deceased, \$225.50.

Thomas Check, \$102.69.

Albert Dean, \$297.94.

Henry C. Fowler, \$150.16.

Charles W. F. Garcia, \$72.02.

Mary M. Getzendanner, widow of William Getzendanner, deceased, \$196.07.

Thomas S. Gosnell, \$201.64.

Lawrence J. Grant, \$34.05.

Mary J. Haygle, widow of John L. Haygle, deceased, \$359.82.

William B. Hardester, \$1.50.

Aberrellah Holt, widow of George C. Holt, deceased, \$209.77.

Aberrellah Holt, next friend of Hannah Davis (insane), widow of George E. Davis, deceased, \$710.40.

Catherine A. Hunt, widow of George N. Hunt, deceased, \$339.86.

Francis S. Hutchinson, \$149.94.

William H. Hutchinson, \$77.85.

Simpson Johnson, \$195.95.

Mary C. Kidwell, widow of William Albert Kidwell, deceased, \$203.99.

John H. King, \$10.07.

W. Oscar Knott, \$195.83.

Gertrude Lang, widow of Charles A. Lang, deceased, \$5.87.

Abraham B. Lescallett, \$493.81.

Albert Lewis, \$271.05.

Herbert Lewis, \$261.84.

Frank A. Lowe, \$304.68.

George Lowry, \$134.52.

William Luskey, \$22.42.

William L. Mills, \$127.27.

Thomas O'Brien, \$106.20.

Martha E. Osborn, widow of Charles H. Osborn, deceased, \$417.99.

Caleb Pennington, \$253.48.

George M. Posey, \$159.01.

George Selby, \$91.48.

Anna C. Simmonds, widow of Daniel Simmonds, deceased, \$82.60.

Mary E. Smith, widow (remarried) of Louis Browning, deceased, \$1.02.

Mary A. Smithson, widow of Isaac Smithson, deceased, \$220.16.

John Smallwood, \$279.34.

Mary H. Summers, widow of Edward Summers, deceased, \$376.80.



Mrs. E. Thompson, widow of John H. Thompson, deceased, \$306.89.  
 John C. White, \$161.62.  
 William T. Hutchinson, administrator of William E. Hutchinson, deceased, \$701.92.  
 W. B. Todd, \$20.07.  
 Thomas H. Risler, \$577.42.  
 Artemus R. Warfield, \$92.67.  
 Katie Langley, widow of Robert C. Langley, deceased, \$215.35.

The amendment was agreed to.

The next amendment was, on page 125, after line 21, to insert:  
 To the following-named persons (representing 93 claims) the following sums, respectively, as found by the Court of Claims in the case of David Auld and others against the United States, for payment for extra labor above the legal eight hours at the Washington Navy Yard, namely:

David Auld, \$461.10.  
 Everette E. Auguste, sole heir of Samuel R. Auguste, deceased, \$293.98.  
 Martha E. Burton, widow of John F. Burton, deceased, \$481.60.  
 Brooks Burr, \$321.30.  
 William W. Boswell, \$19.97.  
 Isaac Benham, \$421.38.  
 John Beron, \$361.10.  
 Samuel Brown Bates, \$360.32.  
 Oliver T. Beaumont, \$45.71.  
 William F. Brown, \$287.13.  
 Amanda Berkeley, widow of Thomas Berkeley, deceased, \$156.26.  
 James T. Bell, \$97.61.  
 Sallie R. Bailey, executrix of John A. Bailey, deceased, \$327.45.  
 Perry Baldwin, \$199.97.  
 Walter Caddington, \$29.80.  
 Mary J. Carrico, widow of John H. Carrico, deceased, \$126.57.  
 Laura V. Cornelius, widow of James W. Cornelius, deceased, \$420.42.  
 Heskiah J. Cawood, \$403.52.  
 Sarah E. Cawood, executrix of Philip A. Cawood, deceased, \$436.  
 Robert Craig, \$7.10.  
 Peter Cooksey, \$187.14.  
 George A. Cross, \$211.84.  
 Edward M. Cox, 21.  
 Robert Campbell, \$430.37.  
 Patrick Coleman, \$310.04.  
 Lawrence Callan, \$416.32.  
 Thomas J. Duvall, \$200.95.  
 Ida C. Duvall, administratrix of George Duvall, deceased, \$59.88.  
 Hester A. Dice, widow of George D. Dice, deceased, \$449.80.  
 Mary E. Dwyer, executrix of Henry F. Dwyer, deceased, \$487.46.  
 William F. Dove, \$481.07.  
 Sarah Dement, widow of James E. Dement, deceased, \$362.85.  
 William Ewin, \$204.52.  
 Joshua Evans, \$373.60.  
 Amelia V. Edelin, widow of George W. Edelin, deceased, \$270.52.  
 John T. Evely, \$456.70.  
 Thomas R. Fry, \$2.53.  
 Fanny Fullalove, executrix of James Fullalove, deceased, \$461.08.  
 Andrew Gray, \$114.34.  
 Mary B. Gill, widow of William Gill, deceased, \$322.72.  
 Isaac O. Gordon, \$71.25.  
 Martha Griffith, widow of Thomas Griffith, deceased, \$348.10.  
 Richard Gates, \$192.83.  
 John Glasgow, \$81.90.  
 George W. Gates, \$350.19.  
 Robert Greenwell, \$246.86.  
 Josiah Gray, \$13.87.  
 James Griffith, \$62.51.  
 James Gordon, \$225.90.  
 Thomas S. Gonter, \$163.24.  
 John T. Harrison, \$365.36.  
 Isaac Little, \$94.77.  
 Catherine S. Miller, widow of Samuel Miller, deceased, \$736.82.  
 James O. Marceron, administrator of James A. Marceron, deceased, \$476.94.  
 Howard Miller, \$370.56.  
 Charles E. Morris, \$43.15.  
 Davison McCullough, \$224.60.  
 Benjamin McElwee, \$274.18.  
 Peter McCarthy, \$261.88.  
 George W. Mackabee, \$139.30.  
 Laura McKenney, widow of Robert V. McKenney, deceased, \$279.08.  
 Lillie M. Mohler, widow of John H. Baldwin, deceased, \$265.75.  
 William C. Nicholson, \$50.78.  
 Alfred Nally, \$159.21.  
 Barbara C. Oliver, widow of H. Lewis Oliver, deceased, \$58.36.  
 Henry A. Otterback, \$149.67.  
 Susan Forts, widow of Perry O. Forts, deceased, \$508.03.  
 Martha A. Perkins, widow of Samuel F. Perkins, deceased, \$377.27.  
 Margaret O. Purcell, widow of James Purcell, deceased, \$195.59.  
 Mary M. Padgett, widow of James Padgett, deceased, \$123.10.  
 Ann Margaret Russell, executrix of David N. Russell, deceased, \$538.80.  
 Richard Riggles, \$231.92.  
 Marcus Richardson, \$260.41.  
 Thomas B. Lear, \$143.01.  
 Ellie S. Sweeney, administratrix of Edward Sweeney, deceased, \$429.60.  
 Philip Sherwood, \$226.52.  
 John A. Smith, \$22.78.  
 Charles H. Smithson, \$29.38.  
 George S. Stewart, \$459.84.  
 Ann R. Turner, widow of Zachariah A. Turner, deceased, \$435.11.  
 Eliza P. Watson, executrix of Charles F. Watson, \$657.58.  
 Margaret Street, widow of James R. Street, deceased, \$478.79.  
 Belle Steele, executrix of H. N. Steele, deceased, \$402.45.  
 George W. Stockett, \$1.87.  
 J. H. Tayman, \$97.85.  
 Charles A. Tupper, \$471.47.  
 Benjamin Van Horn, \$476.25.  
 Emma Umpleby, widow of John Umpleby, deceased, \$521.40.  
 James Watson, \$319.18.  
 Elenora Warner, widow of John Warner, deceased, \$436.05.  
 Joseph Webb, \$474.60.  
 Ellen Bowling, widow of William Bowling, deceased, \$228.40.  
 James D. Quigley, \$477.80.  
 To Robert A. Barker, \$23.37.  
 To Charles P. Morris, \$216.43.

The amendment was agreed to.

The next amendment was, on page 133, after line 18, to insert:  
 To the following-named persons (representing 23 claims) the following sums, respectively, as found by the Court of Claims in the case of Mary F. Smith, administratrix of John W. Bowling, deceased, and others against the United States for payment for extra labor above the legal day of eight hours at the Washington Navy Yard, namely:  
 Mary F. Smith, administratrix of John W. Bowling, deceased, \$9.58.  
 Edgar Baldwin, \$274.81.

Mr. CRAWFORD. I desire to offer an amendment in lieu of lines 1 and 2, at the top of page 134. The amendment is made necessary by the death of the claimant since the bill was passed through the House. I move to substitute the name I send to the desk.

The PRESIDING OFFICER (Mr. CLAPP in the chair). The amendment to the amendment will be stated.

The SECRETARY. On page 134, lines 1 and 2, it is proposed to strike out:

Edgar Baldwin, \$274.81.

And insert:

Maria E. Baldwin, widow of Edgar Baldwin, deceased, \$274.81.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Claims was, on page 134, after line 2, to insert:

Marion K. Cross, \$11.12.  
 George C. Cumberland, heir at law of George Cumberland, deceased, \$383.90.  
 Isabella F. Knott, heir at law of John Cook, deceased, \$343.57.  
 Rachel Wilker, heir at law of William Crawford, deceased, \$377.60.  
 Caroline Nicholson, daughter of Joseph H. Carroll, deceased, \$355.84.  
 Daniel D. Davis, son of John T. Davis, deceased, \$414.87.  
 Catherine H. Burns, daughter of Coombs Greenwell, deceased, \$450.16.  
 Mary J. Holmes, executrix of George W. Holmes, deceased, \$389.82.  
 John A. Lescallett, son of Samuel M. Lescallett, deceased, \$132.43.  
 James E. Lewis, \$133.72.  
 Maud E. Banker, granddaughter of Edward McKenney, deceased, \$351.38.  
 Robert J. Nicholson, son of Walter Nicholson, deceased, \$80.17.  
 Robert T. Padgett, heir at law of Robert G. Padgett, deceased, \$442.36.  
 Margaret O. Purcell, daughter of John Wood, deceased, \$269.98.  
 Mary A. R. Rose and Ann E. Willmuth, daughters of Adam L. Rose, deceased, \$661.99.  
 Joseph J. Spollen, son of John Spollen, deceased, \$233.64.  
 William E. Simpson, son of James E. Simpson, deceased, \$100.13.  
 Laura Crowther, heir at law of George W. Smith, deceased, \$258.17.  
 Mary E. Smith, daughter of Alexander Sword, deceased, \$569.08.  
 Charles M. Smithson, son of George Smithson, deceased, \$382.26.  
 Mary R. Watkins, daughter of John Johnson, deceased, \$548.40.

The amendment was agreed to.

The next amendment was, on page 136, beginning in line 1, to insert:

To the following-named persons (representing 19 claims) the following sums, respectively, as found by the Court of Claims in the case of William A. Clements and others against the United States, for payment for extra labor above the legal day of eight hours at the Washington Navy Yard, namely:  
 William A. Clements, \$171.63.  
 Dennis A. Daily, \$76.04.  
 Bartholomew Diggins, \$428.78.  
 James H. Jones, \$594.46.  
 Edward Rockett, \$169.60.  
 Anton Schladt, \$87.82.  
 John Simpson, \$247.55.  
 Thomas Wise, \$50.36.  
 Alice Cleaves, widow of Arnold Cleaves, deceased, \$145.96.  
 Eliza Despeaux, widow of Anthony Despeaux, deceased, \$357.88.  
 Elizabeth Gordon, widow of William Gordon, deceased, \$82.38.  
 Annie D. Keithley, widow of George W. Keithley, deceased, \$239.78.  
 Harriet Lee, widow of Oscar Lee, \$172.98.  
 Jane E. Marshall, widow of Chesterfield Marshall, deceased, \$240.99.  
 Mary A. Perkins, widow (remarried) of Thomas C. Lyles, \$3.06.  
 Henrietta H. Stahl, widow of John W. Stahl, deceased, \$341.70.  
 Rose L. Wallis, widow of Stephen C. Wallis, deceased, \$175.17.  
 Charles F. Fugitt, sole heir of Thomas M. Fugitt, deceased, \$354.37.  
 Frank A. Leach, sole heir of E. W. Leach, deceased, \$76.40.

The amendment was agreed to.

The next amendment was, on page 137, after line 18, to insert:

To the following-named persons (representing 5 claims) the following sums, respectively, as found by the Court of Claims in the case of Clements T. Dant and others against the United States, for payment for extra labor above the legal day of eight hours at the Washington Navy Yard, namely:  
 Clements T. Dant, \$20.27.  
 Margaret H. Balderston, widow of Marcellus Balderston, deceased, \$77.14.  
 Frank Smith, \$14.09.  
 Edwin B. Arnold and William T. Arnold, sole heirs of Thomas O. Arnold, deceased, \$94.89.  
 John C. Keithley, \$411.52.

The amendment was agreed to.

The next amendment was, on page 138, after line 6, to insert:

To the following-named persons (representing 63 claims) the following sums, respectively, as found by the Court of Claims in the case of Robert Dugan and others against the United States, for payment for extra labor above the legal day of eight hours at the Washington Navy Yard, namely:  
 Robert Dugan, \$24.74.  
 Jennie Olcott, widow (remarried) of Massey T. Quigley, deceased, \$380.86.  
 John W. Robertson, \$54.59.  
 Jasper Sarra, \$122.69.

Charlotte Butler, widow of Louis Butler, deceased, \$11.31.  
 Ladd Whiting, \$98.96.  
 Louisa Lewis, widow of George Lewis, deceased, \$258.71.  
 Jefferson W. Cohron, \$37.07.  
 Dorette H. Busching, widow of Henry C. Busching, deceased, \$144.69.  
 Elizabeth J. Ballenger, widow of Richard F. Ballenger, deceased, \$160.70.  
 William Bolger, \$39.18.  
 Emma F. Brown, widow of William Brown, deceased, \$230.41.  
 Patrick Cahill, \$83.22.  
 George T. Dean, \$71.61.  
 William L. Fletcher, \$26.18.  
 Charles Forrest, \$240.53.  
 Martha J. Gill, sister and sole heir of Samuel F. Gill, deceased, \$13.13.  
 George R. Herbert, \$44.13.  
 Susannah Harris, widow of Marbury Harris, deceased, \$99.18.  
 Powhatan Hall, \$384.08.  
 James O'Connor, \$231.48.  
 Sarah Price, widow (remarried) of Richard Langley, deceased, \$301.45.  
 Margaret H. Root, widow of Albert L. Root, deceased, \$572.27.  
 Charles H. Venable, \$245.25.  
 George F. Mathieson, \$199.37.  
 Nora C. Butler, widow of John H. Butler, deceased, \$166.75.  
 Hannah Cook, widow of William H. Cook, deceased, \$63.85.  
 John Lanham, \$249.32.  
 Albert A. Leavy, \$45.50.  
 John D. Simpson, \$336.85.  
 Henry J. Phelps, \$285.58.  
 John Cooney, \$1.18.  
 Almedia Gardiner, widow of James Gardiner, deceased, \$110.42.  
 Josephine Williams, widow of George A. Williams, deceased, \$175.08.  
 Minnie Holmes, widow of John Holmes, deceased, \$130.42.  
 Frank Mulhall, \$29.96.  
 Charles B. Prosperi, \$35.29.  
 Thomas E. Rockett, \$75.41.  
 William R. Rockett, \$95.21.  
 William H. Fitzgerald, \$201.92.  
 Thomas A. Ellis, \$261.84.  
 Virginia Locke, widow of William P. Locke, deceased, \$174.65.  
 John W. Wood, \$217.77.  
 James F. Byrne, \$35.69.  
 Catherine E. A. Smith, widow of Samuel M. Smith, deceased, \$37.45.  
 Ann M. Clark, widow of Joshua Clark, deceased, \$10.  
 Julia Coxen, widow of Millard F. Coxen, deceased, \$59.28.  
 Indiana Ferguson, widow of William C. Ferguson, deceased, \$264.83.  
 William H. Johnson, \$361.40.  
 Valentine Connor, \$70.16.  
 Ella Rebecca Landstreet, widow (remarried) of Thomas Myers Downing, deceased, \$178.48.  
 Georgeanna Better, widow of William H. Better, deceased, \$60.53.  
 Henry Lowry, \$217.62.  
 Susie E. Sears, executrix of Henry Kelley, deceased, \$490.62.  
 William E. Peake, \$91.72.  
 John Edwin Simms, \$438.34.  
 Nellie Anderson, widow of Dallas Anderson, deceased, \$211.58.  
 Samuel H. Wilkerson, \$79.68.  
 Jacob L. Bright, \$251.43.  
 Jerome C. Hutton, \$107.92.  
 Laura V. Hutchinson, widow of James I. Hutchinson, deceased, \$96.33.  
 Daniel Allman, \$239.63.  
 James Allman, \$145.90.

The amendment was agreed to.

The next amendment was, on page 143, after line 12, to insert:

To the following-named persons (representing 30 claims) the following sums, respectively, as found by the Court of Claims in the case of Richard Emmons and others against the United States, for payment for extra labor above the legal day of eight hours at the Washington Navy Yard, namely:

Richard Emmons, \$425.84.  
 George C. Acton, \$152.57.  
 George W. Ballinger, \$182.44.  
 Edward R. Barbour, \$193.56.  
 James Breast, \$419.41.  
 George R. Cook, \$497.88.  
 Joshua Cooksey, \$331.30.  
 John D. Davis, \$330.13.  
 Philip A. Delano, \$337.81.  
 Oliver A. Emmons, \$106.60.  
 William B. Flood, \$161.80.  
 Samuel S. Fowler, \$148.50.  
 Theodore Gates, \$227.31.  
 Thomas J. Harrison, \$286.47.  
 Richard Holland, \$222.68.  
 John T. Hardester, \$194.16.  
 William Kemp, \$380.01.  
 William H. Krepps, \$224.97.  
 Abraham Lee, \$319.12.  
 George E. Luckett, \$135.06.  
 William Morris, \$359.98.  
 William E. Miller, \$367.28.  
 Charles M. Nicholson, \$192.49.  
 John W. Reed, \$242.23.  
 Richard Smith, \$284.04.  
 Isaac Scott, \$101.83.  
 John A. Smith, \$194.16.  
 Isaac Smallwood, \$89.54.  
 Isaac Tillman, \$91.27.  
 Augustus M. Warfield, \$382.99.  
 To Walter H. Evans, \$197.70.  
 To William Evans, \$294.93.  
 To Joshua B. Stoops, \$202.58.  
 To Laura Waddey (widow) and Jennie E. Waddey (daughter), sole heirs of Hodgson E. Waddey, deceased, \$106.62.  
 To Mary Kibbey Diven, daughter and sole heir of James O. Kibbey, deceased, \$398.31.  
 To Emma Heath, daughter and sole heir of Richard Heath, deceased, \$350.66.

To Mary T. Russell, daughter and sole heir of Thomas F. Russell, deceased, \$622.06.  
 To Mary E. Smith, sister and sole heir of Joseph Gibson, deceased, \$427.65.

The amendment was agreed to.

The next amendment was, on page 147, beginning in line 1, to insert:

To the following-named persons (representing 41 claims) the following sums, respectively, as found by the Court of Claims in the case of William W. Langley and others against the United States, for payment for extra labor above the legal day of eight hours at the Washington Navy Yard, namely:

John Buckingham, \$315.70.  
 William Breslyn, \$94.  
 Samuel Brown, \$29.78.  
 Henry S. Berkely, \$263.80.  
 George Conner, \$628.84.  
 Hamilton Cook, \$341.58.  
 George F. Cunningham, \$537.26.  
 James F. Cunningham, \$199.35.  
 Mrs. F. A. Jefferis, widow of William T. Jefferis, deceased, \$512.38.  
 Catherine Hutchinson, widow of Philip Hutchinson, deceased, \$64.68.  
 Joseph H. Lawrence, \$327.76.  
 William C. Kellum, \$67.23.  
 William W. Langley, \$26.88.  
 Katie McK. Morgan, widow (remarried) of William Little, deceased, \$73.72.  
 James G. Murray, \$295.28.  
 James F. Manning, \$112.20.  
 William H. R. Martin, \$186.02.  
 Samuel I. Miller, \$118.60.  
 Mary F. Morgan, widow of John T. Morgan, deceased, \$316.71.  
 William McDermott, \$404.17.  
 John McNeley, \$243.63.  
 George B. Nelson, \$203.60.  
 Fred Pope, \$453.12.  
 Benjamin Auguste, \$99.43.  
 Betty Brown, widow of Amon Brown, deceased, \$200.60.  
 R. J. Prather, \$23.46.  
 Charles G. Robinson, \$357.51.  
 George Schaffer, \$17.62.  
 Arthur E. Van Riswick, \$8.28.  
 Luther Reiley, \$56.14.  
 William H. Talbert, \$398.30.  
 Charles T. Morgan, \$28.75.  
 Benjamin McCathran, \$174.86.  
 Barbara Burgee, widow of Edward T. Burgee, deceased, \$461.10.  
 Thaddeus Shine, \$122.95.  
 John E. Nalley, \$22.14.  
 George W. Richmond, \$87.41.  
 Ellen C. Sanderson, widow of O. Sanderson, deceased, \$94.33.  
 James Cephus, \$293.47.  
 Alice Sheffield, widow of George W. Sheffield, deceased, \$749.35.  
 Mary E. Sullivan, widow of Daniel Sullivan, deceased, \$24.37.  
 To Sussana R. Lovejoy, widow of John T. Lovejoy, deceased, \$364.51.  
 To Ada E. Much, widow of George W. Much, deceased, \$331.31.  
 To William W. Nalley, \$188.29.  
 To James M. O'Neill, \$224.89.  
 To Henry S. Walter, administrator of Adam L. Rose, deceased, \$661.99.  
 To Joseph Thompson, \$90.28.

The amendment was agreed to.

The next amendment was, on page 150, after line 22, to insert:

To the following-named persons (representing 27 claims) the following sums, respectively, as found by the Court of Claims in the case of Angelina Scarf, executrix of Thomas T. Scarf, deceased, and others against the United States, for payment for extra labor above the legal day of eight hours at the Washington Navy Yard, namely:

Angelina Scarf, executrix of Thomas T. Scarf, deceased, \$208.20.  
 William W. Chase, \$107.09.  
 William H. Bennett, administrator of William Bennett, deceased, \$447.46.  
 Sarah E. Robey, widow of Richard T. Robey, deceased, \$10.17.  
 Elizabeth R. Betts, widow of William Betts, deceased, \$120.48.  
 Elizabeth Bladen, widow of Thomas S. Bladen, deceased, \$33.78.  
 James Barker, \$603.13.  
 George F. Waters, \$626.72.  
 Charles F. Williams, \$418.39.  
 William H. Vogelson, \$45.63.  
 Margaret F. Watson, widow of William A. Watson, deceased, \$249.93.  
 Arthur Tudge, \$154.03.  
 Sarah J. Barker, wife of William H. Barker, insane, \$226.15.  
 H. I. Meader, \$263.74.  
 Sarah M. Sanderson, widow of L. W. Sanderson, deceased, \$336.10.  
 Mary Boettcher, executrix of Frederick Boettcher, deceased, \$417.55.  
 Mary L. Cissell, widow of Thomas Cissell, deceased, \$196.50.  
 William W. Burdine, John T. Burdine, Annie Morgan, and Alfred H. Burdine, sole heirs of James W. Burdine, deceased, \$12.75.  
 Hannah Langley, widow of Charles W. Langley, deceased, \$422.45.  
 John T. Roberts, \$60.60.  
 Esther G. Nally, widow of James S. Nally, deceased, \$238.50.  
 Amanda E. Coates, widow (remarried) of Thomas Robey, deceased, \$182.21.  
 Ceylon Boswell, \$126.42.  
 Peter Bopp, \$150.18.  
 Emily J. Cannon, widow of Joseph Cannon, deceased, \$179.13.  
 Sarah Kernan, executrix of Bernard Kernan, deceased, \$309.39.  
 W. C. White, \$94.96.

The amendment was agreed to.

The next amendment was, on page 153, after line 12, to insert:

FLORIDA.  
 To Henry Antone, \$321.89.  
 To Frank Swaris, \$2.  
 To Fred Blum, \$211.01.  
 To William Handlon, \$6.99.  
 To Margaret A. Moungey, Annie Moungey, Alice Moungey, John P. Moungey, Catherine F. Kanen, and Janie Bond, sole heirs of William Moungey, deceased, \$14.48.



To Lawson Turner and William Turner, jr., sole heirs of William Turner, deceased, \$284.52.

The amendment was agreed to.

The next amendment was, at the top of page 154, to insert:

The following-named persons (representing 14 claims) the following sums, respectively, as found by the Court of Claims in the case of Frank Bond and others against the United States, for payment for extra labor above the legal day of eight hours at the Pensacola Navy Yard, namely:

Frank Bond, \$136.23.  
Mary F. Boyden, widow of Paul Boyden, deceased, \$560.76.  
Allan Bush, \$267.03.  
E. P. Chaffin, \$158.01.  
Benjamin Dolphin, \$46.30.  
Abraham Harris, \$184.89.  
Peter Hatcher, \$224.05.  
Alfred Jones, \$253.77.  
Johanna Massey, widow of James Massey, deceased, \$611.06.  
Henry Skeet, \$299.42.  
Edward Sweeney, \$82.96.  
Lizzie Wheat, widow of William J. Wheat, deceased, \$458.92.  
Cornelia Higgins, heir at law of C. A. Higgins, deceased, \$722.62.

The amendment was agreed to.

The next amendment was, on page 155, after line 6, to insert:

To the following-named persons (representing 22 claims) the following sums, respectively, as found by the Court of Claims in the case of John P. Capell and others against the United States, for payment for extra labor above the legal day of eight hours at the Pensacola Navy Yard, namely:

John P. Capell, \$96.21.  
Peter Carroll, \$97.55.  
Frank Elijah, \$128.27.  
A. G. Fell, \$301.45.  
John J. Fell, \$550.28.  
William Hession, \$447.06.  
William M. Johnson, \$43.50.  
Loughlin Quigley, \$284.65.  
Stephen M. Scarritt, \$528.85.  
Henry Smith, \$600.19.  
Lawson Turner, \$84.25.  
Hattie Davidson, widow of Gam B. Davidson, deceased, \$136.50.  
Matilda Jackson, widow of Robert Jackson, deceased, \$174.65.  
Bertha McDonald, widow of James A. McDonald, deceased, \$1,909.87.  
Isabella McLellan, widow of John McLellan, deceased, \$450.60.  
Catherine J. Roy, widow of H. Roy, jr., deceased, \$822.50.  
Annie Unger, widow (remarried) of William C. Kelly, deceased, \$151.27.  
Fannie White, widow (remarried) of Alfred Willis, deceased, \$559.02.  
Phillip Walter Jones, G. F. Jones, Lee L. Jones, Maggie M. Jones, and Ella L. Jones, sole heirs of J. W. Jones, deceased, \$167.41.  
Maria Robinson, William Robinson, and Louis Robinson, sole heirs of Louis Robinson, deceased, \$115.92.  
Fannie Sparks, Charlotte Saunders, Mary Reese, Gertrude Smith, and Henry Smith, sole heirs of Curtis Smith, deceased, \$462.40.  
Mary Burch and Thomas F. Wrighton, sole heirs of Thomas Wrighton, deceased, \$114.55.  
To Clarence Marks, \$87.24.  
To George T. Clifford, \$56.26.

The amendment was agreed to.

The next amendment was, on page 157, after line 14, to insert:

#### MASSACHUSETTS.

To the following-named persons (representing 131 claims) the following sums, respectively, as found by the Court of Claims in the case of Charles Adams and others against the United States for payment for extra labor above the legal day of eight hours at the Boston Navy Yard, namely:

Charles Adams, \$343.01.  
T. A. Bradford, \$362.86.  
Bridget A. Bailey, widow of William Bailey, deceased, \$112.29.  
James Edward Bell, William Bell, and Ellen J. Dow, sole heirs of James Bell, deceased, \$759.56.  
Elias Bourne, \$33.  
John W. Burnham, \$97.03.  
James D. Bateman, \$125.93.  
Katherine V. Barrett, administratrix of Daniel Barrett, deceased, \$898.49.  
Joshua Barker, \$320.  
William Bentley, son of Thomas Bentley, deceased, \$424.28.  
Jeremiah L. Bean, \$124.41.  
Joshua P. Bushee, \$319.68.  
William E. Bruce, \$338.50.  
Edward J. Baker, \$81.66.  
William F. Blake, son of William Blake, deceased, \$591.86.  
James E. Byrne, \$7.89.  
Lydia M. Bolster, widow of Oliver Bolster, deceased, \$246.18.  
Ella A. Bearse, administratrix of Ezra L. Hersey, deceased, \$508.87.  
Julia V. Buckley, daughter of John Buckley, deceased, \$62.48.  
Emery R. Currier, \$174.87.  
William N. Currier, \$144.56.  
John A. Cronin, \$40.54.  
Jos. A. Cassidy, \$293.86.  
John Cutler, \$192.18.  
Arthur B. Cassidy, \$315.42.  
Anne Belle Currier, daughter of Charles H. Currier, deceased, \$277.18.  
William Crosby, \$157.16.  
William W. Collier, \$165.18.  
Sarah J. Clarridge, widow of Frederick Clarridge, deceased, \$257.52.  
Richard Donahue, \$206.12.  
Catherine Donlary, widow of Frank Donlary, deceased, \$19.50.  
John Davies, \$53.87.  
Henry G. Dwight, \$109.39.  
Henry Dawson, \$289.70.  
Ellen Dillon, wife of James E. Dillon, demented, \$284.31.  
William G. Ewell, executor of Augustus Ewell, deceased, \$75.65.  
J. Homer Edgerly, brother of Hiram O. Edgerly, deceased, \$403.89.  
J. Homer Edgerly, \$884.53.

Ellen Eaton, widow of George B. Eaton, deceased, \$447.54.  
Daniel F. Egan, \$314.40.  
John L. Frisbee, \$614.93.  
Annie Finn, widow of William Finn, deceased, \$242.26.  
Charlotte J. Jackson, widow of Nathan B. Jackson, \$340.30.  
Josiah D. Folsom, \$767.44.  
Edwin W. Frisbee, \$103.53.  
John B. Fitzpatrick, \$125.93.  
James H. Finn, \$423.71.  
Timothy Guiney, \$102.19.  
John S. Gardner, \$201.87.  
William F. Gillings, \$77.34.  
Albert S. Greene, \$483.06.  
Daniel Greene, \$373.74.  
Alice F. Gates, daughter of Jacob Gates, deceased, \$394.42.  
Lewis G. Hilton, \$378.41.  
Henry G. Hichborn, one of the next of kin of William Hichborn, deceased, \$896.61.  
Michael H. Hudson, \$141.57.  
Andrew B. Hubbard, son of Robert H. G. Hubbard, deceased, \$281.40.  
Thomas L. Hayes, \$142.35.  
Mary H. Hutchings, widow of J. Clark Hutchings, deceased, \$233.20.  
Peter A. Hayes, \$290.42.  
George R. Hobbs, \$147.57.  
Marcia E. Hatch, daughter of Zina H. Webber, deceased, \$110.40.  
John Handrahan, \$330.75.  
Sarah B. James, sister of James Hutchings, deceased, \$305.59.  
George W. King, \$85.  
George H. Kincaid, \$65.31.  
John A. Long, \$242.02.  
William W. Locke, \$21.37.  
Caroline M. Loring, sister of Frank E. Melvin, deceased, \$113.28.  
Dennis Lowney, \$90.39.  
Patrick Leary, \$263.22.  
William Mahoney, jr., one of the heirs of William Mahoney, deceased, \$144.46.  
Mary A. Marrow, heir of John H. Marrow, deceased, \$182.45.  
Charles P. Morris, \$197.52.  
James J. McAuliffe, \$4.50.  
Catherine Melvin, daughter of Charles Freeman, deceased, \$175.04.  
Theodore A. Melvin, \$901.82.  
Hugh P. McNally, \$88.73.  
Agnes J. Musgrave, heir of Joseph Bibeln, \$254.36.  
Charles Manser, son of Charles C. Manser, deceased, \$180.21.  
Mary E. Murphy, daughter of Jeremiah Murphy, deceased, \$64.11.  
Aunt M. McLeod, widow of James McLeod, deceased, \$51.06.  
Harriet M. Metcalf, widow of William P. Metcalf, \$240.40.  
Mary A. McCarthy, widow of Frank McCarthy, \$49.03.  
Thomas Nixon, \$404.04.  
John L. Nicholson, \$604.59.  
Harriet R. Newhall, widow of Thomas E. Newhall, deceased, \$332.27.  
Joseph W. Newhall, one of the heirs of Joseph Newhall, deceased, \$335.76.  
Mary F. Overn, sister of Richard Dennis, deceased, \$177.58.  
Allen E. Proctor, heir of James P. Proctor, deceased, \$419.44.  
William Proctor, otherwise William H. Proctor, \$168.78.  
George E. Poor, \$323.65.  
Charles W. Pearson, \$33.75.  
John M. Pitman, \$48.54.  
William T. Phippin, \$48.76.  
Abbie H. Pedrick and Susan M. C. Crosby, executrices of Joseph Pedrick, deceased, \$965.  
Elizabeth M. Preble, executrix of Jeremiah Preble, deceased, \$423.88.  
Augustine S. Quinn, \$125.80.  
Thomas Riordan, otherwise Thomas D. Riordan, \$159.74.  
Edward H. Rogers, \$356.21.  
Joseph O. Rice, \$241.76.  
Emily A. Roberts, widow of John H. Roberts, deceased, \$898.95.  
Thomas H. Ramsey, son of James Ramsey, deceased, \$246.69.  
John J. Ryan, for Jeremiah J. Ryan, demented, \$128.04.  
Mary Rowley, widow of Michael Rowley, deceased, \$261.47.  
Benjamin Roach, \$717.35.  
Catherine A. Regan, widow of Cornelius F. Regan, deceased, \$144.56.  
Joseph S. G. Sweatt, \$258.76.  
Daniel S. Sullivan, \$82.97.  
Blanche L. and Frank H. Seavey, heirs of Frank Seavey, deceased, \$434.56.  
Charles A. Stebbins, \$297.42.  
Winslow Sampson, son of Alden Sampson, deceased, \$901.82.  
Benjamin F. Sampson, son of Benjamin H. Sampson, deceased, \$212.20.  
William C. Sprague, \$204.03.  
Fred S. Soule, son of Thomas Soule, deceased, \$93.43.  
Samuel Staples, \$178.91.  
John M. Stockman, \$304.46.  
Robert A. Southworth, administrator of Alexander Southworth, deceased, \$362.11.  
Charles H. Taylor, son of John T. Taylor, deceased, \$280.03.  
John Tierney, \$88.75.  
Constantine Towle, \$95.35.  
Mary M. A. Thayer, sister of Daniel J. Hurley, deceased, \$379.45.  
Annie E. Vincent, daughter of Joseph H. Wainwright, deceased, \$63.17.  
George T. Wiley, only heir of Benjamin D. Wiley, deceased, \$966.25.  
Frank L. Weston, administrator of Samuel F. Weston, deceased, \$472.50.  
Harriet Wilson, widow of William Wilson, deceased, \$753.45.  
Agnes V. W. Walker, sole heir of Reuben Goff, deceased, \$358.32.  
Thomas Ward, \$200.55.  
Samuel A. Wright, jr., son of Samuel A. Wright, deceased, \$232.56.  
John H. Wright, \$97.71.  
John Yonkers, \$740.81.  
The amendment was agreed to.

The next amendment was, on page 168, after line 17, to insert:

To the following-named persons (representing 59 claims) the following sums, respectively, as found by the Court of Claims in the case of Mary A. F. Barry, widow of Daniel S. Barry, deceased, and others against the United States, for payment for extra labor above the legal day of eight hours at the Boston Navy Yard, namely:

Mary A. F. Barry, widow of Daniel S. Barry, deceased, \$302.10.  
Elizabeth Smith, daughter, and Charles M. Black, son, of John Black, deceased, \$59.  
Joseph O. Briggs, \$72.77.

William B. Bothamly, \$202.77.  
 Mary L. Brown, daughter of Joseph H. Till, deceased, \$273.56.  
 Sarah A. Blandin, executrix of Benjamin A. Blandin, deceased, \$441.32.  
 Charles E. Clark, son of Daniel Pearce Clark, deceased, \$330.48.  
 Thomas Corley, \$125.54.  
 William H. Cate, Jr., heir at law of William H. Cate, deceased, \$67.87.  
 Emily M. Carter, widow (remarried) of Alexander H. Wright, deceased, \$187.34.  
 Mary E. Curry, daughter of James Griffin, deceased, \$109.78.  
 Isaac Downs, \$254.93.  
 Otis W. Dutton, son of Benjamin Dutton, deceased, \$19.87.  
 Charles H. Frisbee, son of Henry Frisbee, deceased, \$223.06.  
 Ellen B. Fisher, daughter of Calvin Lewis, deceased, \$257.75.  
 Austena Gundlach, daughter of Thomas J. McKenna, deceased, \$15.75.  
 Theodore W. Goodspeed, \$83.75.  
 Mary J. Gordon, daughter of Timothy J. Mahoney, deceased, \$37.62.  
 Samuel Grant, \$323.93.  
 Esther Ann Hudson, daughter of Patrick Hudson, deceased, \$46.06.  
 Joseph E. Hoey, \$82.93.  
 Harriet N. Hanscom, widow of Alvah Hanscom, deceased, \$73.62.  
 William P. Holmes, \$105.59.  
 John H. Holt, \$70.68.  
 William T. Harris, \$90.43.  
 Mrs. C. H. Harper, daughter of Abraham Larkin, deceased, \$153.15.  
 Benjamin P. Hodgkins, \$10.12.  
 Christy Hanscom, widow of Samuel Willard Hanscom, deceased, \$112.34.  
 Athalia Hill, widow of George C. Hill, deceased, \$77.17.  
 Alonzo H. Haynes, \$60.50.  
 Ellen H. Leighton, daughter of James Chambers, deceased, \$35.18.  
 Adolphus Leavitt, \$41.12.  
 George F. Lewis, \$128.63.  
 Alice M. Lowell, daughter of Alpheus A. W. Lake, deceased, \$530.56.  
 Alice M. Lowell, sister of Alpheus A. Lake, deceased, \$218.93.  
 Timothy W. Mahoney, brother of George W. Mahoney, deceased, \$203.89.  
 Timothy W. Mahoney, \$229.57.  
 Timothy W. Mahoney, son of Michael K. Mahoney, deceased, \$62.40.  
 James Mullen, \$126.50.  
 Edward A. McDonough, \$419.61.  
 George Morrison, \$62.62.  
 George W. McConnell, son of William McConnell, deceased, \$112.59.  
 Florence Gertrude Magee, granddaughter and sole heir of James A. German, deceased, \$183.  
 Bridget McNulty, daughter of John Mongan, deceased, \$77.03.  
 Terence T. McNulty, \$167.60.  
 Louisa S. Nash, widow of William H. Nash, deceased, \$272.90.  
 Julia Ryan, widow of Michael Ryan, deceased, \$33.02.  
 Addie R. Rice, widow of Benjamin Rice, deceased, \$83.62.  
 Matthew Redmond, \$171.12.  
 David L. Rigby, \$211.86.  
 Alexander A. Selden, \$80.10.  
 Mabel F. Swain, granddaughter of Thomas Dunham Rice, deceased, \$353.18.  
 Mary A. C. Smith, daughter of George Golbert, deceased, \$87.37.  
 John D. Sanborn, \$205.90.  
 Eugene S. Sullivan, brother of Humphrey J. Sullivan, deceased, \$71.60.  
 Charles E. Stone, \$78.82.  
 George Short, \$191.68.  
 Eugene S. Sullivan, \$41.62.  
 Minnie Swett, daughter of James L. Williams, deceased, \$465.92.

The amendment was agreed to.

The next amendment was, on page 173, after line 17, to insert:

To the following-named persons (representing 24 claims) the following sums, respectively, as found by the Court of Claims in the case of Alfred D. Bullock and others against the United States, for payment for extra labor above the legal day of eight hours at the Boston Navy Yard, namely:

Alfred D. Bullock, \$232.11.  
 Joseph F. Baker, \$210.77.  
 John Clark, \$142.64.  
 William M. Carr, \$79.67.  
 Winslow L. Crafts, \$371.87.  
 Charles H. Crocker, \$330.83.  
 Samuel Dwight, \$786.62.  
 John Flynn, \$400.94.  
 John F. Gilmore, \$275.44.  
 Henry G. Hichborn, \$349.93.  
 Patrick Marrow, \$171.40.  
 Eben P. Oakes, \$126.79.  
 Joseph Riley, \$418.59.  
 William P. Raymond, \$381.44.  
 Jennie A. Sawyer, widow of Jefferson Sawyer, deceased, \$281.87.  
 George D. V. Smith, \$23.  
 Chester R. Streeter, \$488.10.  
 George K. Sawyer, \$315.43.  
 Albert Sawyer, \$473.15.  
 Samuel J. Cochran, \$445.83.  
 William H. Rigby, \$905.78.  
 William N. Winter, \$166.66.  
 John Ward, \$57.75.  
 George H. Young, \$92.81.

The amendment was agreed to.

The next amendment was, on page 175, after line 19, to insert:

#### NEW HAMPSHIRE.

To the following-named persons (representing 11 claims) the following sums, respectively, as found by the Court of Claims in the case of Hannah J. Adams, widow of Augustus H. Adams, deceased, and others against the United States, for payment of extra labor above the legal day of eight hours at the Portsmouth Navy Yard, namely:

Hannah J. Adams, widow of Augustus H. Adams, deceased, \$87.75.  
 George Beal, \$8.14.  
 Charles S. Hobbs, \$290.83.  
 Alfred H. Hook, \$61.16.  
 Stacy G. Moran, \$32.43.  
 Susan Y. Perry, widow of William H. Perry, deceased, \$171.49.  
 Sarah A. Trefethen, widow (remarried) of Benjamin E. Seaward, deceased, \$685.40.

Rose A. Spinney, widow of William M. Spinney, deceased, \$312.93.  
 Mary A. Willey, widow of Joseph Willey, deceased, \$2.93.  
 Ivan L. Meloon, \$167.10.  
 Fred A. Moore, \$231.14.

The amendment was agreed to.

The next amendment was, on page 176, after line 23, to insert:

To the following-named persons (representing 182 claims) the following sums, respectively, as found by the Court of Claims in the case of Nathan F. Amee and others against the United States, for payment for extra labor above the legal day of eight hours at the Portsmouth Navy Yard:

Nathan F. Amee, \$396.75.  
 George A. Adams and Stephen E. Adams, heirs of Albert J. Adams, deceased, \$365.53.  
 Stephen E. Adams, \$94.74.  
 Mary Jane Anderson, widow of Montgomery Anderson, deceased, \$308.68.  
 George P. Abbott, \$132.  
 George R. Adams, \$166.12.  
 Levi Briard, \$402.75.  
 Lorenzo T. Burham, \$116.25.  
 Walter Ball, \$364.14.  
 James Boardman, \$473.53.  
 Albert F. Billings, administrator of Frederick A. Billings, deceased, \$372.41.  
 Hannah A. Briard, widow of Robert Briard, deceased, \$486.63.  
 Charles Bowden, \$2.86.  
 George D. Boulter, \$91.05.  
 Walter Ball, John Ball, and Ida A. Bennett, sole heirs of John R. Ball, deceased, \$231.40.  
 Mrs. A. F. Ball, Mrs. N. S. Perry, and Mrs. E. G. Wright, heirs of Michael C. Leary, deceased, \$197.12.  
 Mary Bright, widow of John Bright, deceased, \$51.33.  
 Benjamin F. Bunker, \$56.51.  
 John S. Bennett, \$553.19.  
 Charlotte E. Betton, widow of Thornton Betton, deceased, \$160.02.  
 Eben F. Brackett, \$428.06.  
 John Ball, \$310.07.  
 Elizabeth L. Brown, widow of Frank S. Brown, deceased, \$130.12.  
 Mary Brown, Mrs. A. T. Hackett, Mrs. A. C. Plummer, and Mrs. A. L. Martin, sole heirs of Franklin K. Brown, deceased, \$155.62.  
 Anna A. Brooks, widow of James Brooks, deceased, \$902.50.  
 Levi M. Brooks, \$9.37.  
 J. Mahlon Bickford, Albert H. Bickford, Louise H. Brown, and Zashews V. Bickford, sole heirs of Joshua Bickford, deceased, \$247.91.  
 Jacob B. Burns, \$28.25.  
 Jacob B. Burns, sole heir of Ezekiel Burns, deceased, \$63.75.  
 Moses G. Berry, \$224.58.  
 Tobias E. Burke, \$840.63.  
 John W. Chickering, \$396.05.  
 Charles W. Coleman, \$170.25.  
 George A. Clough, Arthur B. Clough, Roland C. Clough, and Florence J. Clough, sole heirs of Elijah Clough, deceased, \$345.75.  
 Martha E. Cottle, widow of Oliver Cottle, deceased, \$107.14.  
 Mary Jane Curtis, widow of Moses R. Curtis, deceased, \$265.92.  
 Samuel H. Chauncey, \$158.10.  
 Ann E. Colley, widow of William B. Colley, deceased, \$413.47.  
 Charles C. Dixon, \$198.69.  
 Lavinia M. Dixon, widow of William M. Dixon, deceased, \$172.87.  
 Margaret E. Danne, widow of John W. Danne, deceased, \$371.36.  
 Leland W. Davis, Shirley B. Davis, and Lemuel T. Davis, sole heirs of Lemuel T. Davis, deceased, \$317.80.  
 Thomas W. Ducker and George H. Ducker, sole heirs of Robert Ducker, deceased, \$312.49.  
 William T. Entwistle, \$105.02.  
 George B. Frost, \$109.23.  
 Joseph B. Fletcher, \$569.27.  
 Walter P. Fitzmaurice, \$77.62.  
 Henry Fernald, \$131.55.  
 Frank A. Fagan, \$101.26.  
 Howard S. Frisbie, \$312.45.  
 William F. Foye and Ada F. Foye, sole heirs of Stephen J. Foye, deceased, \$294.97.  
 Emma D. Flagg, widow of John H. Flagg, deceased, \$338.07.  
 George W. Foote, \$190.68.  
 William J. Frost, \$56.31.  
 Dennis Flynn, \$54.22.  
 Josiah Fernald, otherwise Josiah W. Fernald, \$49.87.  
 Oliver G. Fernald, \$688.73.  
 S. Elizabeth Fernald, widow of William A. Fernald, deceased, \$643.40.  
 Levi L. Goodrich, \$429.65.  
 George W. Green, \$511.45.  
 John A. George, \$551.23.  
 Lewis B. Gerrish, \$328.30.  
 John Glover, \$647.93.  
 Lizzie L. Gatchell, widow of Jessie H. Gatchell, deceased, \$79.87.  
 Mary O. Gray, widow of Walter S. Gray, deceased, \$257.61.  
 George A. Genthner, \$102.28.  
 Charles L. Glines, \$235.87.  
 Mary D. Goodspeed, widow of Burbank S. Goodspeed, deceased, \$327.  
 Mary E. Goss, widow of Alfred S. Goss, deceased, \$81.82.  
 Josephine Gardner, widow of William H. Gardner, deceased, \$426.37.  
 George H. Hayes, \$351.53.  
 Elizabeth H. Hanscom, widow of Jackson A. Hanscom, deceased, \$160.16.  
 Freeman Hurd, \$158.47.  
 Lucinda A. Hayes, widow of Charles E. Hayes, deceased, \$190.26.  
 Ira Hanscom, \$164.02.  
 C. Dwight Hanscom and Albert H. Hanscom, executors of Nathaniel Hanscom, deceased, \$152.01.  
 Margaret P. Humphreys, widow of George Humphreys, deceased, \$274.12.  
 Mary A. Hersey, widow of George L. Hersey, deceased, \$63.20.  
 Mabel Idella Hayes, guardian of Roy C. Philbrick, sole heir of Robert S. Philbrick, deceased, \$246.06.  
 Samuel M. Joy, \$204.94.  
 Walter S. Jackson and Ernest Jackson, two of the heirs of Zina H. Jackson, deceased, \$391.59.  
 Mrs. William S. Jackson, widow of William S. Jackson, deceased, \$284.25.  
 Joseph P. Jenkins, \$179.14.  
 James M. Knapp, \$680.49.



Joseph Keen, \$167.20.  
 Ira C. Keen, \$75.16.  
 Willis E. Keen, \$181.06.  
 Elmer H. McKenney, \$179.38.  
 Benjamin Keen, \$317.62.  
 Harry M. Kimball and Mrs. George W. Smith, sole heirs of Charles W. Kimball, deceased, \$266.12.  
 Catherine Killoran, sole heir of James Mahoney, deceased, \$162.33.  
 Charles J. Lydston, \$250.47.  
 Isaac H. Lambert, \$343.48.  
 Adam Lutts, \$384.50.  
 William H. Lovell, \$720.  
 Charles Lowd, otherwise Frank Lowd, \$60.72.  
 Maria M. Lowd, widow of Horace S. Lowd, deceased, \$209.75.  
 Winfield S. Lord, \$337.95.  
 James C. Lydston, \$409.50.  
 Alfred M. Lang, \$360.50.  
 Ellen A. Lewis, widow of Thomas Lewis, deceased, \$126.  
 John O. Langley, \$387.09.  
 Elizabeth Mason Leary, sole heir of Daniel Mason, deceased, \$191.60.  
 F. Josephine Lombard, Henry A. Lombard, Elizabeth L. Moon, and Mary L. Shannon, sole heirs of Henry Lombard, deceased, \$39.75.  
 Frank H. Lewis, Arthur H. Lewis, George W. Lewis, Emma L. Carr, Wentworth Lewis, Fred Lewis, Maud L. Foge, Harry F. Lewis, and Sydney Lewis, sole heirs of Reuben Lewis, deceased, \$235.17.  
 James S. Lawry, \$86.13.  
 Ellen Lowd, widow of Edwin Lowd, deceased, \$55.93.  
 Lemuel McIntire, \$78.02.  
 John D. Medcalf, administrator of Henry Knight, deceased, \$676.75.  
 Oliver B. Moody, \$71.92.  
 George Manent, \$383.96.  
 Daniel W. Marden, \$647.87.  
 Harriet N. Moore, widow of Moses D. Moore, deceased, \$829.85.  
 Benjamin F. Martin, \$225.  
 Albert H. Moody, \$16.75.  
 Albert Manson, \$25.64.  
 Frank Moore, Hannah E. Atkinson, and Blanche V. Hull, sole heirs of John Moore, deceased, \$49.43.  
 Catherine G. Nutter, widow of William H. Nutter, deceased, \$137.13.  
 Martha J. Noyes, widow of William F. Noyes, deceased, \$921.16.  
 Martha A. Nealley, widow of Edwin C. Nealley, deceased, \$706.20.  
 Mark Nason, \$213.85.  
 Edward E. Otis and James O. Otis, sole heirs of William M. Otis, deceased, \$338.80.  
 Eben N. Odiorne, \$128.25.  
 Elleen E. Obrey, administratrix of Benjamin Smith, deceased, \$109.97.  
 Frank E. Osgood, \$288.93.  
 Isaac H. M. Pray, \$210.24.  
 Isaac H. M. Pray, one of the heirs of James B. Pray, deceased, \$77.37.  
 Walter Philbrick, \$310.15.  
 John E. Pinkham, \$107.87.  
 Fred J. Pillsbury, one of the heirs of Samuel H. Pillsbury, deceased, \$732.24.  
 Mary E. Palfrey, administratrix of Hanson Hoyt, deceased, \$127.34.  
 George R. Palfrey, Harry B. Palfrey, William H. Palfrey, Robert R. Palfrey, and I. Miller Palfrey, sole heirs of William W. Palfrey, deceased, \$361.93.  
 Benjamin F. Powell, William Powell, and Mrs. Harry M. Kimball, sole heirs of Benjamin Powell, deceased, \$253.97.  
 Mary E. Parker, widow of Pierce Parker, deceased, \$301.75.  
 Annie E. Prior, widow of Warren Prior, deceased, \$355.25.  
 Sarah A. Paul, widow of John A. Paul, deceased, \$392.84.  
 Thomas Prior, \$290.49.  
 Mary E. Paul, widow of Franklin N. Paul, deceased, \$170.25.  
 Eliza A. Parks, widow of George L. Parks, deceased, \$385.50.  
 Daniel H. Plaisted, Ellen O. Littlefield, James S. Plaisted, Fronie R. Colby, George E. Plaisted, Sarah E. Battling, Mark R. Plaisted, and Annie M. Bingham, sole heirs of Mark R. Plaisted, deceased, \$471.39.  
 Edwin D. Rand, executor of Albert H. White, deceased, \$345.20.  
 Joseph C. Remick, \$170.63.  
 Sarah A. Richardson, widow of James W. Richardson, deceased, \$307.63.  
 Maria Rand, widow of Reuben Rand, deceased, \$329.25.  
 Frank Remick, executor of John Remick, deceased, \$379.87.  
 Walter C. Rogers, sole heir of John H. Rogers, deceased, \$590.68.  
 Howard E. Spinney, one of the heirs of Samuel H. Spinney, deceased, \$126.  
 Howard E. Spinney, \$122.83.  
 Willard Spinney, otherwise Willard T. Spinney, \$289.41.  
 Hervey E. Seaward, \$66.33.  
 William Shields, \$1.03.  
 Mary E. Sherman, widow of Eli Sherman, deceased, \$583.44.  
 George Stringer, \$378.  
 Mary Spinney, widow of Azariah L. Spinney, deceased, \$232.06.  
 George W. Stillson, \$52.11.  
 Mary A. Spinney, widow of Sylvester Spinney, deceased, \$165.  
 Mary Salmon, widow of Thomas Salmon, deceased, \$286.81.  
 Margaret L. Stringer, widow of William Stringer, deceased, \$261.04.  
 Ida Estelle Shackley and Susie H. Shackley, sole heirs of George Shackley, deceased, \$324.  
 Elizabeth E. Swain, widow of John D. Swain, deceased, \$361.87.  
 Frank Sides, administrator of Robert C. Sides, deceased, \$286.61.  
 Morris Tobin, \$55.21.  
 Ernest C. Tobey, Winfield L. Tobey, and Edgar L. Tobey, sole heirs of Meshach Tobey, deceased, \$130.37.  
 Edwin Underhill, \$177.43.  
 Thomas J. F. Varrell, \$452.25.  
 Clement M. Waterhouse, sole heir of James A. Waterhouse, deceased, \$377.71.  
 Charles A. Wendall, \$905.62.  
 Clement Waterhouse, \$244.32.  
 Reuben Worster, \$58.50.  
 Asa Wilson, \$38.43.  
 Warren P. Webster, \$21.65.  
 John R. Wentworth, \$310.99.  
 George A. Williams, \$280.46.  
 Lorenzo Witham, otherwise Lorenzo D. Witham, \$113.99.  
 John Wood, \$484.50.  
 George S. Welch, \$2.01.  
 Daniel L. Wendell, \$211.64.  
 Emma E. Young and Fred C. Young, sole heirs of Charles E. Young, deceased, \$352.88.  
 John E. Yeaton, \$205.66.

John E. Yeaton, one of the heirs of Benjamin Yeaton, deceased, 37 cents.  
 Fred C. Young, Emma E. Young, and Clara W. Bennett, sole heirs of Charles Lane, deceased, \$18.48.  
 Edward P. Yeaton, sole heir of Nathaniel W. Yeaton, deceased, \$224.76.

The amendment was agreed to.

The next amendment was to insert, beginning with line 1, page 193, the following:

To the following-named persons (representing 12 claims) the following sums, respectively, as found by the Court of Claims in the case of William A. Ashe and others against the United States, for payment for extra labor above the legal day of eight hours at the Portsmouth Navy Yard, namely:

William A. Ashe, \$461.37.  
 Ivah R. Davis, \$111.98.  
 George F. Randall, \$142.35.  
 Charles H. Rowe, \$201.96.  
 John Walton, \$201.16.  
 Miriam W. Adams, widow of Daniel Adams, deceased, \$162.75.  
 Emma L. Caswell, widow of Perry Caswell, deceased, \$68.20.  
 Lois J. Howell, widow of John S. Howell, deceased, \$457.67.  
 Annie F. Rich, widow of Robert E. Rich, deceased, \$230.02.  
 Cedric C. Campbell, John H. Campbell, Noel Campbell, Lucy Campbell, and Ethel Gillis, sole heirs of Nathaniel Campbell, deceased, \$204.51.  
 Alice M. Rand, sole heir of William H. Deverson, deceased, \$83.25.  
 Charles F. Goodwin, \$87.29.

The amendment was agreed to.

The next amendment was, on page 194, after line 8, to insert:

To the following-named persons (representing 38 claims) the following sums, respectively, as found by the Court of Claims in the case of Sylvester L. Backus and others against the United States, for payment for extra labor above the legal day of eight hours at the Portsmouth Navy Yard, namely:

George W. Bailey and Charles T. Bailey, sole heirs of Joseph Bailey, deceased, \$106.80.  
 Sylvester L. Backus, \$39.75.  
 Charles H. Besselleve, \$82.28.  
 Carrie R. Bragden and Lyman T. Pray, sole heirs of Charles T. Pray, deceased, \$32.60.  
 Carrie R. Bragden and Lyman T. Pray, sole heirs of Peter Pray, deceased, \$175.87.  
 George Campbell, Alice Campbell Stevens, and Helen Campbell Ricker, sole heirs of Thomas Campbell, deceased, \$44.91.  
 Oscar L. Collum, sole heir of George H. Collum, deceased, \$44.55.  
 Mrs. M. E. Critchley, widow (remarried) of John A. Yeaton, deceased, \$320.19.  
 Lizzie A. Cram, Lydia P. Lowell, and Eliza W. Hoyt, sole heirs of Josiah W. Hussey, deceased, \$96.60.  
 Pender Davis, \$87.  
 Richard Davidson, Elizabeth J. Davidson, Elizabeth S. Jenness, James Davidson, and Deborah Currier, sole heirs of James Davidson, deceased, \$76.95.  
 John J. Downes, \$33.  
 Agnes Emery, widow of Joseph H. Emery, deceased, \$224.08.  
 George W. French, Ruth E. Burns, Anna T. Ham, and Sadie B. Schurman, sole heirs of Joseph T. French, deceased, \$367.23.  
 Ezra M. Goodwin, \$121.71.  
 Susan O. Green, widow of Charles B. Green, deceased, \$255.37.  
 Elizabeth E. Gilman, Jennie L. Grindell, Sarah L. Quackenbush, William H. Noyes, Howard A. Noyes, and Fred A. Noyes, sole heirs of William H. Noyes, deceased, \$370.50.  
 Caroline Bird Hammond, widow of Henry Clay Hammond, deceased, \$376.12.  
 Amanda M. Jellison, widow of Alvah Jellison, deceased, \$218.88.  
 Samuel H. Kingsbury, \$262.50.  
 Ira C. Keene, \$75.16.  
 Clara I. Lewis, widow of Enoch Lewis, deceased, \$5.50.  
 Julia A. Moses, widow of Alfred D. Moses, deceased, \$378.37.  
 Addie P. Marks, widow of Frank L. Marks, deceased, \$394.12.  
 Ida F. Neal, sole heir of Daniel R. Neal, deceased, \$82.12.  
 Moses Plummer, \$544.27.  
 Mary L. Quinn, widow of Stephen H. Quinn, deceased, \$417.  
 Ednah M. Ford Rowe, sole heir of James Edgar Ford, deceased, \$416.70.  
 Rebecca Y. Raitt, widow of Daniel G. Raitt, deceased, \$566.70.  
 Frederick A. Staples, Thomas F. Staples, and Calvin H. Staples, sole heirs of Thomas Staples, deceased, \$420.37.  
 Frank W. Smith, \$123.16.  
 Willard Sears, \$284.74.  
 Samuel Taylor, \$438.46.  
 Henry Wallace, \$129.50.  
 Mrs. Jesse N. Wilson, widow of Jesse N. Wilson, deceased, \$181.50.  
 Lucy Whalley, widow of Edmund Whalley, deceased, \$267.81.  
 George Woods, \$257.92.  
 George H. Young, \$40.50.

The amendment was agreed to.

The next amendment was to insert, beginning at the top of page 198, the following:

To the following-named persons (representing 26 claims) the following sums, respectively, as found by the Court of Claims in the case of Robert B. Billings and others against the United States, for payment for extra labor above the legal day of eight hours at the Portsmouth Navy Yard, namely:

Robert B. Billings, \$274.83.  
 Franklin H. Bond, \$201.40.  
 William H. Brown, \$316.66.  
 William C. Bray, \$271.15.  
 Isaac H. Farr, \$433.99.  
 John Grant, \$519.77.  
 Robert M. Ham, \$119.36.  
 Henry H. Ham, \$509.08.  
 Albert Hanscom, \$46.17.  
 James M. Jarvis, \$379.34.  
 Thomas L. Jose, \$388.66.  
 Michael E. Long, \$308.90.  
 Frank E. Lawry, \$78.49.

Brackett Lewis, \$45.18.  
 William W. Locke, \$228.56.  
 Walter N. Meloon, \$166.81.  
 George W. Muchmore, \$810.34.  
 Christopher Remick, \$117.16.  
 Edwin D. Rand, \$295.89.  
 Augustus Stevenson, \$917.60.  
 George E. Stackpole, \$180.60.  
 William H. Wilson, \$191.55.  
 Benjamin F. Winn, \$224.90.  
 Augustus S. Zara, \$429.75.  
 Joseph A. Meloon and Charles O. Meloon, executors of Nathaniel L. Meloon, deceased, \$471.30.  
 Charles Stewart, \$349.90.

The amendment was agreed to.

The next amendment was, on page 200, after line 7, to insert:

To the following-named persons (representing nine claims) the following sums, respectively, as found by the Court of Claims in the case of George W. Brown and others against the United States, for payment for extra labor above the legal day of eight hours, at the Portsmouth Navy Yard, namely:

George W. Brown, \$33.75.  
 John L. Emery, \$257.62.  
 Mary Mozart, widow of William J. Mozart, deceased, \$77.43.  
 Joseph B. Remick, \$257.62.  
 Timothy Trafton, \$145.48.  
 William P. Titcomb, \$78.  
 Rhassa Perkins, \$5.82.  
 Thomas J. Pettigrew, \$420.  
 Alexander N. Perry, \$314.25.

The amendment was agreed to.

The next amendment was, on page 201, after line 3, to insert:

To the following-named persons (representing 17 claims) the following sums, respectively, as found by the Court of Claims in the case of John W. Knight and others against the United States, for payment for extra labor above the legal day of eight hours, at the Portsmouth Navy Yard, namely:

John W. Knight, \$459.37.  
 Ruth A. Kuse, widow of Joseph Kuse, deceased, \$308.74.  
 Charles M. Prince, son of Charles M. Prince, deceased, \$306.12.  
 Nathaniel Bowden, \$54.34.  
 Dennis M. Shapleigh, \$425.25.  
 Horace Mitchell, son of Reuben Mitchell, deceased, \$251.70.  
 John R. Dinsmore, \$506.46.  
 George O. Athorne, son of Oliver Athorne, deceased, \$13.12.  
 Fred Spinney, \$34.40.  
 Thomas E. Wilson, heir of Joseph D. Frost, deceased, \$310.78.  
 Mabel J. Morse, daughter of P. Wentworth, deceased, \$554.89.  
 Emily J. Morse, widow of William Morse, deceased, \$98.95.  
 Mary S. Wilcox, widow of Theodore Wilcox, deceased, \$633.42.  
 George O. Willson, \$382.50.  
 James R. Philbrick, \$243.55.  
 William F. Pinkham, \$611.81.  
 C. H. Staples, \$285.50.  
 To Holman Marr, \$106.12.  
 To Charles L. Duncan, \$169.57.

The amendment was agreed to.

The next amendment was, on page 202, after line 21, to insert:

To the following-named persons (representing eight claims) the following sums, respectively, as found by the Court of Claims in the case of Edward H. Norton and others against the United States, for payment for extra labor above the legal day of eight hours at the Portsmouth Navy Yard, namely:

Edward H. Norton, \$260.74.  
 John W. Bickford, \$136.35.  
 John Flanigan, \$330.64.  
 Edwin A. Duncan, \$188.76.  
 Charles E. Whitehouse, \$461.  
 George F. Tobey, \$57.25.  
 Edward E. McIntire, \$294.31.  
 J. Mahlon Bickford, \$514.39.

The amendment was agreed to.

The next amendment was, on page 203, after line 18, to insert:

#### NEW YORK.

To the following-named persons (representing 21 claims) the following sums, respectively, as found by the Court of Claims in the case of Hans Anderson and others against the United States, for payment for extra labor above the legal day of eight hours at the Brooklyn Navy Yard, namely:

Hans Anderson, \$4.32.  
 William B. Burlingame, \$20.12.  
 John W. Buckley, \$189.32.  
 William H. Bulmer, \$18.  
 Anthony J. Bommer, \$112.23.  
 Daniel Coffey, \$33.90.  
 William Ford, \$93.38.  
 Michael Halloran, \$341.95.  
 Rebecca E. Jansen, one of the heirs of Isaac Wallack, deceased, \$276.66.  
 Mary Raulston B. Johnston, one of the heirs of Samuel Raulston, deceased, \$232.81.  
 Maria L. Lane, one of the heirs of John Scott, deceased, \$119.87.  
 James Norton, \$65.23.  
 Humphrey H. Owens, \$42.45.  
 Isaac A. Rose, administrator of Isaac A. Rose, deceased, \$146.37.  
 Isaac Alonzo Rose, \$15.30.  
 Leon Ridoux, \$9.18.  
 Robert J. Ross, one of the heirs of Robert J. Ross, deceased, \$20.10.  
 Everett W. Sharkey, one of the heirs of Alexander Sharkey, deceased, \$68.66.  
 Charles H. Totten, \$312.40.  
 Peter Watson, \$88.15.  
 Elizabeth M. Clark, Annie Malloy, and Annie Kenney, heirs of Patrick Kenney, deceased, 45 cents.  
 To Nicholas A. Brooks, \$136.32.

The amendment was agreed to.

The next amendment was, on page 205, after line 16, to insert:

To the following-named persons (representing 13 claims) the following sums, respectively, as found by the Court of Claims in the case of George W. Brown and others against the United States, for payment for extra labor above the legal day of eight hours at the Brooklyn Navy Yard, namely:

George W. Brown, \$422.96.  
 Richard Dezendorf, \$158.27.  
 Peter Doyle, \$217.26.  
 Manuel Glass, \$7.72.  
 William Hamilton, \$179.17.  
 Rodger Howard, \$291.93.  
 Andrew Kane, \$292.45.  
 Patrick McNamara, \$74.04.  
 William Phipps, jr., \$131.69.  
 John R. Powers, \$21.86.  
 John Rauscher, \$183.68.  
 Joseph Sands, \$307.43.  
 Elizabeth Tyson, widow of Peter Tyson, deceased, \$93.84.

The amendment was agreed to.

The next amendment was, on page 206, after line 19, to insert:

To the following-named persons (representing five claims) the following sums, respectively, as found by the Court of Claims in the case of William L. Buckley and others against the United States, for payment for extra labor above the legal day of eight hours at the Brooklyn Navy Yard, namely:

William L. Buckley, \$121.27.  
 John Dwyer, \$385.50.  
 James Palmer, \$99.32.  
 Mary M. Parent, widow of David Parent, deceased, \$185.56.  
 Helen L. Burnett, George S. Burnett, and Mary O. Powles, sole heirs of Joseph Burnett, deceased, \$424.53.

The amendment was agreed to.

The next amendment was, on page 207, after line 10, to insert:

To the following-named persons (representing 14 claims) the following sums, respectively, as found by the Court of Claims in the case of John H. Burtis and others against the United States, for payment for extra labor above the legal day of eight hours at the Brooklyn Navy Yard, namely:

John H. Burtis, \$346.39.  
 Cornelius Bennett, \$332.80.  
 William Croft, \$95.13.  
 Joseph Clyne, \$150.03.  
 Jacob Callas, \$66.75.  
 James A. Driver, \$379.80.  
 Wellington Griffith, \$58.22.  
 George W. Heald, \$181.34.  
 James Hepenstall, \$905.10.  
 George B. Heald, \$433.77.  
 John Knight, \$245.80.  
 Edward Northup, \$278.47.  
 John D. Post, \$290.92.  
 Patrick H. White, \$71.59.  
 To Clarkson V. Hendrickson, \$35.06.  
 To Jasper Chisholm, \$86.21.  
 To John T. R. Mearns, \$217.17.  
 To Richard Rollins, \$145.81.  
 To Mary E. Hare, widow of John E. Hare, deceased, \$128.90.

The amendment was agreed to.

The next amendment was, on page 209, after line 4, to insert:

#### PENNSYLVANIA.

To the following-named persons (representing 19 claims) the following sums, respectively, as found by the Court of Claims in the case of Christopher Alexander and others against the United States, for payment for extra labor above the legal day of eight hours at the League Island Navy Yard, namely:

Christopher Alexander, \$374.83.  
 Albert O. Chamberlain, \$24.94.  
 David Craig, \$29.87.  
 William Coates, \$573.91.  
 Daniel H. Chattin, \$401.09.  
 Josephine Cramp, widow of Martin C. Cramp, deceased, \$186.06.  
 Thomas Denney, \$24.60.  
 John J. Garrity, \$270.14.  
 John B. Grover, jr., \$225.81.  
 William Lynn, \$184.60.  
 George W. Margerum, \$269.43.  
 Theodore Mitchell, \$274.60.  
 Joseph W. Meyers, \$1.87.  
 John H. Pettit, \$421.31.  
 Robert Pogue, \$91.75.  
 James Spear, \$996.76.  
 Edward T. Weaver, \$447.37.  
 Thomas R. Walters, \$247.69.  
 George A. Zirnberg, \$455.15.

The amendment was agreed to.

The next amendment was, on page 210, after line 20, to insert:

To the following-named persons (representing 35 claims) the following sums, respectively, as found by the Court of Claims in the case of Sanford Bilyen and others against the United States, for payment for extra labor above the legal day of eight hours at the League Island Navy Yard, viz:

Sanford Bilyen, \$555.62.  
 Harry Davenport, \$379.83.  
 Thomas P. Ferguson, \$38.63.  
 Charles P. Grice, \$237.47.  
 Francis Grice, \$149.01.  
 Henry Hockery, \$116.30.  
 Joseph Magilton, \$13.47.  
 George W. Mahorn, \$68.01.  
 Daniel McCall, \$370.09.  
 Charles P. Montgomery, \$433.01.  
 John A. Newcomb, \$316.31.  
 Richard H. O'Donnell, \$503.71.  
 Edward E. Packer, \$438.50.



John H. Redfield, \$412.69.  
 Peter A. Slote, \$214.82.  
 Mary A. Corkery, widow of John Corkery, deceased, \$365.06.  
 Lizzie C. Land, widow of George M. Land, deceased, \$276.87.  
 Eleanor F. Martin, widow of George S. Martin, deceased, \$79.53.  
 Lois Room, widow of Benjamin A. Room, deceased, \$113.98.  
 Annie E. Sheer, widow of John Sheer, deceased, \$434.62.  
 Elizabeth Smith, widow of John Smith, deceased, \$304.30.  
 Mary J. Quinton and Lizzie S. Horner, sole heirs of Nathan D. Room, deceased, \$264.35.  
 Peter A. Slote, George W. Slote, Mamie Slote, Lidle Lutz, Andrew Wells, and Daniel Wells, sole heirs of Franklin S. Wells, deceased, \$68.56.  
 Peter A. Slote, George W. Slote, Mamie Slote, Lidle Lutz, Andrew Wells, and Daniel Wells, sole heirs of Frank Wells, deceased, \$52.20.  
 William C. Bessellievre, jr., \$16.14.  
 Sidney I. Bessellievre, \$71.31.  
 Parry T. McCurdy, \$266.96.  
 Harry C. Scott, \$68.58.  
 Charles P. Grice and Francis Grice, sole heirs of Francis E. Grice, deceased, \$487.60.  
 William C. Bessellievre, administrator of John A. Bessellievre, deceased, \$75.  
 George G. Cressey, \$217.32.  
 Edwin Phillips, \$455.84.  
 Ida M. Hoffacker, Susie A. Antrim, Margaret Meager, Fannie Fort, Harry Tatum, Elmer Tatum, Fred Tatum, and Walter Tatum, sole heirs of Henry N. Bennett, deceased, \$457.63.  
 Emily Powell, widow of George Powell, deceased, \$224.79.  
 Mary A. Dunn, Rebecca Patterson, Elizabeth Hunter, and William C. Barnes, sole heirs of Frederick B. Barnes, \$182.36.

The amendment was agreed to.

The next amendment was, on page 214, after line 5, to insert:

To the following-named persons (representing 15 claims) the following sums, respectively, as found by the Court of Claims in the case of Francis B. Black and others against the United States, for the payment for extra labor above the legal day of eight hours at the League Island Navy Yard, namely:

Francis B. Black, \$404.21.  
 Arthur F. Corgee, \$333.43.  
 Harry L. Davies, \$72.91.  
 Harry L. Davies and John M. Davies, jr., sole heirs of John M. Davies, deceased, \$898.12.  
 Samuel B. Edwards, \$64.81.  
 George Hunter, \$54.16.  
 William Kinsley, \$236.66.  
 Mary A. McKay, widow of John McKay, deceased, \$137.96.  
 Harry M. Mitchell and Margaret W. Eppright, sole heirs of Charles B. Mitchell, deceased, \$514.46.  
 Simon McIlhare, \$55.14.  
 George H. Pattison, \$79.07.  
 Walter S. Rick, sole heir of George Rick, deceased, \$469.95.  
 David S. Scott, \$337.88.  
 Frederick Uber, \$113.81.  
 Joseph Vile, \$240.16.

The amendment was agreed to.

The next amendment was, on page 215, after line 16, to insert:

To the following-named persons (representing 30 claims) the following sums, respectively, as found by the Court of Claims in the case of Jacob M. Davis and others against the United States, for payment for extra labor above the legal day of eight hours at the League Island Navy Yard, namely:

Jacob M. Davis, \$309.01.  
 William R. Day, \$156.53.  
 Sarah A. Gail, widow of William Gail, deceased, \$13.46.  
 Elizabeth T. Mitchell, widow of George W. Mitchell, deceased, \$48.75.  
 George W. Mager, one of the heirs of Adam Mager, deceased, \$161.03.  
 Alcana Wilkinson, otherwise Kane Wilkinson, \$256.58.  
 Benjamin L. Berry, \$131.90.  
 William H. Beldman, \$57.25.  
 William Wilson, \$437.37.  
 Harry M. Mitchell, \$281.23.  
 Martha L. Roberts, widow of John S. Roberts, deceased, \$441.81.  
 James Schouler, \$397.06.  
 Catherine Trinkle, executrix of David Irelan, deceased, \$423.31.  
 John Sexton, \$101.19.  
 Anna D. Benner, widow of James Benner, deceased, \$210.41.  
 George W. Clothier, \$422.59.  
 Edwin W. Dougherty (on rolls as Edward Dougherty), \$328.37.  
 James Ingram, \$309.93.  
 Andrew J. Keyser, jr., \$428.06.  
 Sarah M. Keyser, widow of Andrew J. Keyser, sr., deceased, \$879.06.  
 Emily R. McCalla, widow of Frank L. McCalla, deceased, \$400.03.  
 Andrew B. Doebler, \$861.41.  
 Charles Ewing, \$97.47.  
 Robert C. Kochersperger, \$165.94.  
 Jennie McCalla, widow of John A. McCalla, deceased, \$164.67.  
 William H. Rihl, \$435.25.  
 Aaron F. Stull, \$97.93.  
 Samuel J. Shannon, \$361.65.  
 John H. Silbert, \$148.10.  
 John Virden, \$903.59.  
 To Caroline Flomerfelt, widow of George W. Flomerfelt, deceased, \$481.22.  
 To Edward McCann, \$84.93.  
 To Elizabeth Siegfried, widow (remarried) of Robert Serro, deceased, \$279.56.

The amendment was agreed to.

The next amendment was, on page 218, after line 18, to insert:

#### RHODE ISLAND.

To the following-named persons (representing four claims) the following sums, respectively, as found by the Court of Claims in the case of George A. Brown and others against the United States, for payment for extra labor above the legal day of eight hours at the naval torpedo station, Newport, namely:

George A. Brown, \$291.19.  
 Mary C. Butts, widow of Noah Butts, deceased, \$388.10.

Jacob C. Chase, \$4.47.  
 Thomas Twigg, \$217.80.

The amendment was agreed to.

The next amendment was, on page 210, after line 7, to insert:

#### VIRGINIA.

To the following-named persons (representing four claims) the following sums, respectively, as found by the Court of Claims in the case of Mary Beasley, widow of Mordecai Beasley, deceased, and others against the United States, for payment for extra labor above the legal day of eight hours at the Norfolk Navy Yard, namely:

Mary E. Beasley, widow of Mordecai Beasley, deceased, \$64.84.  
 Peter Gallilee, \$17.63.  
 Sarah Richardson, widow of Noah Richardson, deceased, \$130.18.  
 Albert E. West, \$39.32.

The amendment was agreed to.

The next amendment was, on page 219, after line 20, to insert:

To the following-named persons (representing 33 claims) the following sums, respectively, as found by the Court of Claims in the case of George W. Boushell and others against the United States, for payment of extra labor above the legal day of eight hours at the Norfolk Navy Yard, namely:

George Boushell, \$121.13.  
 John T. Brown, \$72.76.  
 William T. Boole, \$122.25.  
 James A. Black, \$98.31.  
 Martin J. Casey, executor, etc., of Steven Casey, deceased, \$28.38.  
 James O. Corprew, \$88.70.  
 Mary F. Connor, widow of Robert Connor, deceased, \$228.  
 Nelson Carney, \$38.94.  
 John A. McDonald, \$174.  
 Hugh Smith, \$97.87.  
 Richard S. Wilson, \$59.02.  
 Thomas P. Cooke, \$132.79.  
 Richard M. Diggs, \$4.37.  
 Frank E. Eaton, \$28.84.  
 John T. Gallam, administrator of Michael Moran, deceased, \$95.26.  
 Thomas J. Howe, \$533.12.  
 Ignatius Howe, \$136.12.  
 John W. Howe, \$238.35.  
 Charles A. Jakeman, \$100.62.  
 William F. Luke, \$12.75.  
 James W. McDonough, \$529.78.  
 Louis McCloud, \$182.25.  
 Thomas O'Rourke, \$70.90.  
 Mary J. Pyle, widow of Miffin J. Pyle, deceased, \$266.87.  
 Thomas Riley, \$67.04.  
 Henry W. Robie, \$369.51.  
 Mary E. Rollins, widow of James W. Rollins, deceased, \$121.50.  
 Miles Riddick, \$120.12.  
 Robert T. Trafton, \$132.70.  
 Watson Vellines, \$123.42.  
 Scott White, \$88.88.  
 Edward Whitehurst, \$118.87.  
 Miles C. Wood, \$46.12.

To Mary A. Curran, executrix of the estate of John J. Curran, deceased, late claimant in his own right, and as sole heir of Murty Curran, deceased, \$1,032.94.

To Mrs. Martin Grady, widow of Martin Grady, deceased, \$389.25.

The amendment was agreed to.

The next amendment was, on page 222, after line 19, to insert:

To the following-named persons (representing six claims) the following sums, respectively, as found by the Court of Claims in the case of Sadie F. Curtis and Annie E. C. Partin, heirs at law of Henry W. Neville, deceased, and others against the United States, for payment for extra labor above the legal day of eight hours at the Norfolk Navy Yard, namely:

Sadie F. Curtis and Annie E. C. Partin, sole heirs of Henry Willis Neville, deceased, \$376.62.  
 Everett Gildersleeve, Emma Francis Hathaway, Josephine Hewitt, and Ruth Clark, sole heirs of Samuel W. Gildersleeve, deceased, \$873.33.  
 Everett Gildersleeve, Emma Francis Hathaway, Josephine Hewitt, and Ruth Clark, sole heirs of Samuel Gildersleeve, deceased, \$414.42.  
 Thomas Hinton, Agnes Hinton, Harrison Hinton, and Henry Marshall, sole heirs of Harrison Hinton deceased, \$272.60.  
 Charles A. McCourt and Ella A. McCourt, sole heirs of John A. McCourt, deceased, \$182.16.  
 Rebecca Pope, widow of John Pope, deceased, \$140.31.

The amendment was agreed to.

The next amendment was, on page 223, after line 21, to insert:

To the following-named persons (representing 28 claims) the following sums, respectively, as found by the Court of Claims in the case of George R. Ricketts, widow of Augustus Ricketts, deceased, and others against the United States, for payment for extra labor above the legal day of eight hours, at the Norfolk Navy Yard, namely:

George R. Ricketts, widow of Augustus Ricketts, deceased, \$59.12.  
 Margaret Cox, widow of John Cox, deceased, \$2.06.  
 Alfred Bergerson, \$19.82.  
 Moses Cornick, \$91.50.  
 Robert E. Crump, \$264.15.  
 Henry H. Epps, \$164.97.  
 Robert Francis, \$8.25.  
 Harrison Gaffney, \$51.20.  
 Everett Gildersleeve, \$220.82.  
 Samuel Gordon, \$119.79.  
 James Kennedy, \$3.52.  
 Enos Kitchen, \$6.49.  
 John Land, \$8.17.  
 Dennis Michaels, \$86.56.  
 Isaac Miller, \$283.66.  
 Edward V. Rauschert, \$125.91.  
 Charles A. Shafer, \$432.92.  
 H'm S. Whitehurst, \$58.50.  
 Moses Whitehurst, \$78.28.  
 Samuel P. Wigg, \$301.15.  
 Fanny Brown, widow (remarried) of Joseph Williams, deceased, \$35.26.

Mattie A. Bushnell, widow of Albert Bushnell, deceased, \$354.75.  
 Mary E. Crandol, widow of William E. Crandol, deceased, \$375.62.  
 Virginia Hurlbut, widow of Albert B. Hurlbut, deceased, \$241.90.  
 Mary L. Lamar, widow of Henry Lamar, deceased, 88 cents.  
 Mary McDowell, widow (remarried) of Alexander Howell, deceased, \$1.50.  
 Mary E. Moore, widow of Augustus W. Moore, deceased, \$504.20.  
 Emma Ryder, widow of William R. Ryder, deceased, \$23.62.

The amendment was agreed to.

The next amendment was, at the top of page 226, to insert:

CLAIMS FOR DIFFERENCE IN PAY BY OFFICERS AND EMPLOYEES IN THE UNITED STATES NAVY GROWING OUT OF FACTS RELATING TO WHETHER OR NOT THE SERVICE WAS PERFORMED ON THE LAND OR ON THE SEA, THE OFFICER OR SAILOR BEING ENTITLED TO A HIGHER RATE FOR SERVICE ON SEA THAN ON LAND.

#### CALIFORNIA.

To Hannah M. Coon, widow (remarried) of Edward B. Bingham, deceased, of Sonoma County, \$308.49.  
 To Emily V. Cutts, widow of Richard M. Cutts, deceased, of Mare Island, \$250.96.  
 To Francenia H. Dale, widow of Frank C. Dale, deceased, of Merced County, \$61.64.  
 To Marcus D. Hyde, of Alameda County, \$225.98.  
 To Louisa I. Laine, widow of Richard W. Laine, deceased, of San Francisco County, \$125.55.  
 To Nicholas Pratt, late of the United States Navy, \$352.54.  
 To Fannie B. Stothard, widow of Thomas Stothard, deceased, late of the receiving ship Independence, \$373.72.

The amendment was agreed to.

The next amendment was, on page 227, after line 5, to insert:

#### COLORADO.

To Josephine A. Buell, widow of James W. Buell, deceased, of Jefferson County, \$97.61.  
 To Robert Dickey, of Denver, \$243.45.  
 To James Thayer, of Crested Butte, \$184.95.

The amendment was agreed to.

The next amendment was, on page 227, after line 13, to insert:

#### CONNECTICUT.

To Lila J. Baldwin, widow of William S. Baldwin, deceased, of Norwich, \$212.  
 To Elizabeth F. Curtis, administratrix de bonis non of William Barrymore, deceased, late of the United States Navy, \$603.57.  
 To Julius G. Rathbone, administrator of George C. Campbell, deceased, of Hartford County, \$230.19.  
 To Gideon E. Holloway, son of Gideon E. Holloway, deceased, of New London County, \$139.50.  
 To Adelaide L. Spall, administratrix of George Sands, deceased, of Stratford, \$504.54.  
 To Harriet B. Gaylord, sister of Dudley E. Taylor, deceased, of New Haven County, \$142.89.

The amendment was agreed to.

The next amendment was, on page 228, after line 6, to insert:

#### DELAWARE.

To George R. Gray, of New Castle County, \$490.74.

The amendment was agreed to.

The next amendment was, on page 228, after line 9, to insert:

#### DISTRICT OF COLUMBIA.

To Benjamin Atwood, of Washington, \$124.63.  
 To Otway C. and William M. Berryman, Alice B. Bromwell, Columbia N. Payne, children of O. H. Berryman, deceased, of Washington, \$67.25.  
 To John C. Boyd, of Washington, \$238.62.  
 To John B. Briggs, of Washington, \$16.44.  
 To Martha J. Briscoe, widow of John A. Briscoe, deceased, of Washington, \$809.48.  
 To Roberdeau Buchanan, administrator de bonis non of McKean Buchanan, deceased, of Washington, \$855.  
 To Charles E. Carter, of the District of Columbia, \$65.50.  
 To Charles E. Carter, Elizabeth Crawford Bronson, and Lawrence C. Crawford, heirs at law of John C. Carter, deceased, of Washington and the State of New York, \$372.91.  
 To Louisa A. Crosby, widow of Pierce Crosby, deceased, \$269.17.  
 To Samuel Cross, of Washington, \$26.85.  
 To Thomas T. Didier and Frederick W. Didier, heirs of Frederick B. Didier, deceased, \$129.30.  
 To William S. Dixon, \$136.44.  
 To Edward B., Emily K., and Charles R. Doran, children of Edward C. Doran, deceased, of Washington, \$108.25.  
 To Edward J. Dorn, \$262.19.  
 To Kate R. Emmerich, Parthenia E. Altemus, sisters of Charles F. Emmerich, deceased, of Washington, \$452.87.  
 To James M. Flint, \$193.30.  
 To Marina B. Harding, widow (remarried) of Henry O. Handy, deceased, of Washington, \$195.23.  
 To Isaac Hazlett, \$131.51.  
 To Cumberland G. Herndon, \$204.65.  
 To Mary H. Corbett, granddaughter of Samuel Howard, deceased, of Washington, \$370.13.  
 To John Hubbard, of Washington, \$95.34.  
 To Henrietta M. D. Oliphant, widow (remarried) of Henry J. Hunt, deceased, \$29.04.  
 To Alice S. Jordan, widow of John W. Jordan, deceased, of Washington, \$251.79.  
 To Bella A. Leach, widow of Boynton Leach, deceased, of Washington, \$83.83.  
 To Alice V. Lee, widow of William F. Lee, deceased, of Washington, \$127.08.  
 To Harriet B. Loring and Francis B. Loring, sole heirs at law of Charles G. Loring, deceased, of Washington, \$446.41.  
 To Florence Murray, widow of Alexander Murray, deceased, of Washington, \$19.80.  
 To John A. Norris, of Washington, \$79.73.  
 To Christine I. Owen, Kathleen D. Owen, Albert T. Owen, and Alfred C. Owen, children of Alfred M. Owen, deceased, of Washington, \$175.89.

To James H. Perry, of Washington, \$129.86.  
 To Christiana C. Queen, widow of W. W. Queen, deceased, of Washington, \$49.25.

To Presley M. Rixey, \$123.29.  
 To Albert Ross, of Washington, \$583.01.  
 To Lily Davis White, widow of Henry W. Schaefer, deceased, \$96.49.  
 To Amanda M. Swain, widow of Oliver Swain, deceased, of Washington, \$284.52.

To William T. Swinburne, of Washington, \$36.16.  
 To John D. Cahill, administrator of Dennis Twiggs, deceased, of Washington, \$126.58.

To Frederick E. Upton, of Washington, \$134.79.  
 To John J. Walsh, of Washington, \$274.21.

The amendment was agreed to.

The next amendment was, on page 232, after line 9, to insert:

#### FLORIDA.

To Catherine Delap, widow of George Delap, deceased, late of the United States Navy, \$168.64.  
 To William W. Dewhurst, administrator with the will annexed of George Dewhurst, deceased, late of the United States Navy, \$831.43.

The amendment was agreed to.

The next amendment was, on page 232, after line 17, to insert:

#### GEORGIA.

To John T. Plunkett, heir at law of Thomas S. Plunkett, deceased, late of the United States Navy, \$97.81.

The amendment was agreed to.

The next amendment was, on page 232, after line 21, to insert:

#### ILLINOIS.

To Louise M. Dodge, widow of Thomas W. Dodge, deceased, late of the United States Navy, \$297.35.

To Antonia Lynch, Margaret Lynch, Charlotte L. Carmody, Josephine L. Ridgeway, Jane L. Canby, children of Dominick Lynch, deceased, of Cook County, \$73.97.

To Mary J. Owen, widow of Elias K. Owen, deceased, of Randolph County, \$1,631.42.

To Merrill Spalding, executor of Enoch G. Parrott, deceased, of Cook County, \$1,888.60.

To Horatio L. Wait, of Cook County, \$164.48.

The amendment was agreed to.

The next amendment was, on page 233, after line 12, to insert:

#### INDIANA.

To Simeon P. Gillett, of Vanderburg County, \$689.98.

To G. V. Menzies, of Posey County, \$39.86.

The amendment was agreed to.

The next amendment was, on page 233, after line 17, to insert:

#### KENTUCKY.

To Harry Pearson and Elba P. Gassaway, grandchildren of William Pearson, deceased, of Hickman County, \$30.80.  
 To Theodore Speiden and William S. Speiden, sons of William Speiden, deceased, of Jefferson County, \$60.80.

The amendment was agreed to.

The next amendment was, at the top of page 234, to insert:

#### MAINE.

To William H. Anderson, of the United States Navy, \$282.02.

To Thomas W. Bell, of Kennebunkport, \$323.02.

To Daniel Butland, brother of Francis Butland, deceased, of York County, \$718.58.

To Josephine E. Dermott, executrix of Joseph E. Cox, deceased, of York County, \$287.81.

To Loring G. Emerson, of Hancock County, \$760.61.

To Charles H. Evans, executor of Alice Evans, deceased, daughter of William F. Loughton, deceased, late of the United States Navy, \$384.49; and to Bessie D. Loughton, widow of said William F. Loughton, deceased, \$192.25.

To Merrill Spalding, James A. Spalding, Elizabeth T. Spalding, children of Lyman G. Spalding, deceased, of Cumberland County, \$64.11.

The amendment was agreed to.

The next amendment was, on page 234, after line 22, to insert:

#### MARYLAND.

To Edward A. Coughlin, next of kin and heir at law of Paul Armandt, deceased, late of the United States Navy, \$63.

To Fannie S. B. Halm, widow (remarried) of John C. Beaumont, deceased, of Washington County, \$81.

To James T. Bowling, late of the United States Navy, \$395.73.

To Mary A. Brannan, widow of James A. Brannan, deceased, late of the United States Navy, \$1,318.48.

To Harriet C. Brown, administratrix of Thomas R. Brown, deceased, of Baltimore City County, \$256.22.

To Henry H. Clark, of Anne Arundel County, \$1,390.36.

To Francis A. Cook, of Anne Arundel County, \$870.47.

To Louis A. Cornthwaite, of Baltimore, \$861.39.

To George T. Douglass, son of Daniel T. Douglass, deceased, of Baltimore County, \$21.40.

To Alfred C. Doyle, administrator de bonis non of James A. Doyle, deceased, of Baltimore, \$619.26.

To Mary J. Field, widow of William Field, deceased, late of the United States Navy, \$694.89.

To Herbert Harlan and William Beatty Harlan, administrators cum testamento annexo of the estate of David Harlan, deceased, late of the United States Navy, \$501.50.

To Peter Heede, of Baltimore, \$63.38.

To Howard F. Downs, administrator de bonis non of the estate of James Hutchinson, deceased, of Govans, Baltimore County, \$236.12.

To Mary T. Sweeting, heir at law of John Joins, deceased, late of the United States Navy, \$179.59.

To Charles A. Le Compte, late of the United States Navy, \$322.93.

To Charles F. Bennett, administrator of Nicholas Lynch, deceased, late of the United States Navy, \$297.67.

To Anna McDonald, widow of James McDonald, deceased, late of the United States Navy, \$422.45.

To James McDonnell, executor of James McDonnell, deceased, of Baltimore County, \$68.66.



To William Moody, late of the United States Navy, \$543.94.  
 To Edward K. Rawson, of Anne Arundel County, \$136.99.  
 To Albert P. Southwick, administrator of the estate of John Southwick, deceased, late of the United States Navy, \$641.68.  
 To William G. Sprostan, brother of John G. Sprostan, deceased, of Baltimore County, \$59.25.

The amendment was agreed to.

The next amendment was, on page 237, after line 13, to insert:

MASSACHUSETTS.

To Mary J. Abbott, widow of William A. Abbott, deceased, of Essex County, \$52.59.  
 To Josiah B. Aiken, of Suffolk County, \$149.04.  
 To Lucy M. Allen and Joseph A. Holmes, administrators of the estate of Weld N. Allen, deceased, late of the United States Navy, \$410.03.  
 To Mary Elizabeth Babbitt, daughter of Charles W. Babbitt, deceased, of Bristol County, \$97.70.  
 To Almira B. Bates, daughter of John A. Bates, deceased, of Suffolk County, \$643.04.  
 To Helen Bryant, granddaughter of William Black, deceased, of Norfolk County, \$322.40.  
 To Grace E. Bolton and Mary E. Bolton, sole heirs at law of William H. Bolton, deceased, late of the United States Navy, \$164.88.  
 To William F. Burditt, Eleanor B. Kimball, Albert B. Burditt, Charlotte Ferguson, children of William Burditt, deceased, of Suffolk County, \$317.10.  
 To Virginia M. Chase, daughter of Moses B. Chase, deceased, of Suffolk County, \$152.80.  
 To Frederick W. Cotton, of Norfolk County, \$130.94.  
 To Elizabeth N. Courtney, widow of Charles Courtney, deceased, late of the United States Navy, \$378.81.  
 To Edward Cronin, of Suffolk County, \$79.20.  
 To Alexander D. Damon, of Suffolk County, \$54.79.  
 To Ezra Z. Derr, of Suffolk County, \$27.40.  
 To Emily A. Gifford, widow of George P. Gifford, deceased, of Bristol County, \$83.63.  
 To Artemas P. Hannum, administrator cum testamento annexo de bonis non of Josiah A. Hannum, deceased, late of the United States Navy, \$368.62.  
 To Elliott C. Harrington, of Suffolk County, \$157.46.  
 To Mary J. Iverson, widow of Andrew J. Iverson, deceased, of Essex County, \$410.96.  
 To Elizabeth Jackson, widow of Andrew Jackson, deceased, of Middlesex County, \$206.29.  
 To Harry N. Stearns, administrator of the estate of Francis Joseph, deceased, late of the United States Navy, \$1,183.19.  
 To Katharine A. Horan, daughter of William Langdon, deceased, of Suffolk County, \$587.50.  
 To George E. Leach, administrator of the estate of Phineas Leach, deceased, late of the United States Navy, \$1,023.74.  
 To Edward D. Marchant, son of Cornelius M. Marchant, deceased, of Dukes County, \$303.45.  
 To Ferdinand G. Morrill, of Suffolk County, \$118.98.  
 To Smith W. Nichols, of Suffolk County, \$239.13.  
 To Lott Norton, of Dukes County, \$705.21.  
 To George H. Richards, administrator, with the will annexed, of William A. Parker, deceased, of Norfolk County, \$2,230.  
 To Sarah Elizabeth Clarkson, Sarah L. Calthrope, Cecile Finney, Mabelle L. Medcalf, Mary E. Morrill, Robert B. Pender, Thomas Henry Pender, nephews and nieces, sole heirs at law of Thomas Pinder, deceased, of Amesbury, \$61.67.  
 To Esther and Theresa Redington, only heirs of Robert Redington, deceased, late of the United States Navy, \$238.78.  
 To Ida T. Coggeshall, daughter of James B. Russell, deceased, of Bristol County, \$112.09.  
 To Mabel G. Smith, daughter of Thomas Smith, deceased, of Middlesex County, \$293.69.  
 To John T. Spavin, Annie M. Spavin, Ernestine E. Spavin, Jennie Whittemore, Elizabeth Farnham, children of Robert Spavin, deceased, of Suffolk County, \$282.81.  
 To John A. Tanner, of Suffolk County, \$238.62.  
 To Charles T. Davis, nephew of James S. Thornton, deceased, of Essex County, \$51.25.  
 To Edward K. Valentine, of Suffolk County, \$1,137.47.  
 To Mary Elizabeth Very, administratrix de bonis non of the estate of Samuel Very, jr., deceased, late of the United States Navy, \$494.27.  
 To John S. Waltemeyer, late of the United States Navy, \$122.46.  
 To Mary B. Willey, daughter and only child of George F. Willey, deceased, late of the United States Navy, \$288.83.

The amendment was agreed to.

The next amendment was, on page 242, after line 3, to insert:

MICHIGAN.

To Mary F. Clark, widow of Frank H. Clark, deceased, of Houghton County, \$200.55.  
 To George G. Clay, of Kent County, \$305.76.

The amendment was agreed to.

The next amendment was, on page 242, after line 8, to insert:

MISSOURI.

To Maria L. Rodgers, granddaughter of Andrew E. Long, deceased, of St. Louis City County, \$98.00.  
 To Thomas J. Manning, only son of John Manning, deceased, of Macon County, \$155.75.  
 To Belle M. Raborg, widow of George B. Raborg, deceased, of St. Louis City County, \$109.20.  
 To Mary S. McQuade and William A. Chambers, children of William Smith, deceased, of St. Louis County, \$188.75.

The amendment was agreed to.

The next amendment was, on page 242, after line 21, to insert:

NEBRASKA.

To Willard Foster, heir at law of Edward Foster, deceased, late of the United States Navy, \$259.06.

The amendment was agreed to.

The next amendment was, at the top of page 243, to insert:

NEW HAMPSHIRE.

To S. Augusta Tasker, widow of George E. Anderson, deceased, of Belknap County, \$48.59.

To Emma G. Jenness, widow of Thomas B. Gammon, deceased, of Rockingham County, \$208.00.

To Emma M. Gay, widow and executrix of Thomas S. Gay, deceased, late of the United States Navy, \$477.05.

To Hazel O. Goodsoe, Perle E. Nute, Leonora W. Goodsoe, and E. Shirlet Rundlett, children of Augustus O. Goodsoe, deceased, of Rockingham County, \$293.70.

To Marie S. Perrimond, widow of Xavier Perrimond, deceased, of Rockingham County, \$60.

The amendment was agreed to.

The next amendment was, on page 243, after line 16, to insert:

NEW JERSEY.

To Katharine M. Burnett, widow of Joseph C. Burnett, deceased, late of the United States Navy, \$96.31.

To Robert C. Ribbans, guardian of the minor heirs of Isalah E. Crowell, deceased, of Essex County, \$523.14.

To Helen M. Dodge, widow of Edward R. Dodge, deceased, of Camden, \$147.81.

To Nelson H. Drake, of Morris County, \$346.85.

To Louise E. Elder, widow of Robert D. Elder, deceased, of Essex County, \$144.84.

To Clara B. Hassler, widow of Charles W. Hassler, deceased, late of the United States Navy, \$566.35.

To Andrew McCleary, of Camden County, \$397.45.

To Amanda E. Macfarlane, widow of John Macfarlane, deceased, late of the United States Navy, \$254.79.

To Thomas Mason, late of the United States Navy, \$37.94.

To Robert C. Ribbans, guardian of the minor heirs of William N. Maul, deceased, of Essex County, \$159.

To Walter J. Mayer, Alfred J. Mayer, and Ida J. Mayer Storch, heirs of William H. Mayer, jr., deceased, late of the United States Navy, \$181.92.

To Clifford C. Pearson, jr., administrator of the estate of Clifford C. Pearson, deceased, of Middlesex County, \$294.49.

To Martha Singleton, widow of Edward B. J. Singleton, deceased, late of the United States Navy, \$102.49.

To Mary K. S. Brakeley, only child of Watson Smith, deceased, of Burlington County, \$102.

To Winnie M. Stillwell, widow of James Stillwell, deceased, of Essex County, \$30.75.

To Edward Lasell, guardian of the heirs at law of William H. Yeaton, deceased, of East Orange, \$628.06.

Mr. CRAWFORD. I offer an amendment in connection with this amendment. On page 244, in line 3, strike out the words "Robert D. Elder" and insert in lieu thereof "Robert B. Elder." It is to correct an error in an initial.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 245, after line 10, to insert:

NEW MEXICO.

To Clifford B. Gill, of Dona Ana County, \$766.35.

The amendment was agreed to.

The next amendment was, on page 245, after line 13, to insert:

NEW YORK.

To Helen S. Abernethy and Charles H. Abernethy, sole heirs at law of John J. Abernethy, deceased, late of the United States Navy, \$191.05.

To William H. Bacon and Annie M. Smith, heirs at law of Francis H. Bacon, deceased, late of the United States Navy, \$186.22.

To Belle Bateman, widow of Arthur E. Bateman, deceased, late of the United States Navy, \$112.89.

To Fanny Belknap, widow of Charles Belknap, deceased, of Queens County, \$68.11.

To A. Nelson Bell, of Kings County, \$131.

To Louisa C. Bell, widow of Edward B. Bell, deceased, late of the United States Navy, \$875.92.

To Caroline H. Broadhead, widow of Edgar Broadhead, deceased, of Orange County, \$253.33.

To Christopher Bruns, of New York County, \$141.37.

To Albert Buhner, of Kings County, \$65.17.

To Rosalie C. Tone, heir at law of John Calhoun, deceased, late of the United States Navy, \$1,565.94.

To Marie L. Clark, widow of Lewis Clark, deceased, of Richfield Springs, \$195.06.

To Owen S. M. Cone, of Brooklyn, \$237.09.

To John P. Gillis, son of John P. Gillis, deceased, of New York County, \$74.14.

To Francis C. Green, executor of the estate of Francis M. Green, deceased, late of the United States Navy, \$373.24.

To G. De B. Greene, son of S. Dana Greene, of Schenectady County, \$373.95.

To William H. Hall, Charles G. Hall, Eleanor Darling, and Alexander H. Wells, heirs at law of Michael Hall, deceased, of Kings County, \$194.60.

To Martha D. Sturgis, daughter of Samuel F. Hazzard, deceased, of New York County, \$241.65.

To Harriet F. Hibben, widow of Henry B. Hibben, deceased, late of the United States Navy, \$722.45.

To Jessie F. Cole, sister of Frederick A. Howes, deceased, of Dutchess County, \$194.09.

To Robert Hudson, of Onondaga County, \$26.03.

To Frances R. Hunsicker, widow of Joseph L. Hunsicker, deceased, of Erie County, \$205.48.

To Eleanor C. Kloeppel, widow of Henry Kloeppel, deceased, late of the United States Navy, \$319.

To Caroline H. Lillie and Julia W. L. Symington, executrices of the estate of A. B. H. Lillie, deceased, of New York County, \$113.97.

To Selena A. Linnekin, widow of Thomas J. Linnekin, deceased, late of the United States Navy, \$154.92.

To Gilbert L. McGowan, late of the United States Navy, \$23.25.

To Robert H. McLean, of New York County, \$112.60.

To E. T. T. Marsh, late of the United States Navy, \$54.53.

To Joseph G. Myers, William W. Myers, sons of Joseph G. Myers, deceased, of Kings County, \$269.40.

To Mary H. Nicholson, widow of James W. A. Nicholson, deceased, of New York County, \$273.29.

To Annie E. Ogilvie, widow of James Ogilvie, deceased, late of the United States Navy, \$156.83.

To James Phillips, of New York City, \$724.65.  
 To Alice H. Pierce, widow of Allen W. Pierce, deceased, late of the United States Navy, \$209.94.  
 To Elizabeth M. Pitkin and Carrie Pitkin McDowell, heirs of Henry S. Pitkin, deceased, late of the United States Navy, \$382.21.  
 To Ebenezer S. Prime, of Suffolk County, \$325.20.  
 To George H. Sampson, Leander P. Sampson, Elias S. Willis, Henry P. Willis, James M. Willis, Jr., and Maria J. Akin, heirs at law of Daniel W. Sampson, deceased, residing in the States of New York, Massachusetts, and Oregon, \$936.68.  
 To Louisa P. Seaman, widow of Stephen Seaman, deceased, late of the United States Navy, \$465.68.  
 To Augusta W. Seely, widow of Henry B. Seely, deceased, of New York County, \$513.70.  
 To John M. Steele, of Kings County, \$25.20.  
 To Eleanor R. Swan and Charles B. Swan, heirs at law of Robert Swan, deceased, late of the United States Navy, \$233.42.  
 To Edward D. Taussig, of Kings County, \$33.97.  
 To Hobart L. Tremain, of Sullivan County, \$295.89.  
 To Henrietta L. Tucker, widow of Thomas B. Tucker, deceased, late of the United States Navy, \$796.63.  
 To Charles A. White and Isabelle G. White, sole heirs at law of Leverett H. White, deceased, residing in the States of New York and New Jersey, \$250.87.  
 To Ira C. Whitehead, of Orange County, \$148.76.  
 To Frederick W. Wunderlich, late of the United States Navy, \$58.04.

The amendment was agreed to.

The next amendment was, on page 250, after line 18, to insert:

#### NORTH CAROLINA.

To Augustus Rodney Macdonough, administrator of Charles S. Macdonough, deceased, late of the United States Navy, \$651.37.  
 To Stephen A. Norfleet, administrator of Ernest Norfleet, deceased, of Bertie County, \$53.70.

The amendment was agreed to.

The next amendment was, at the top of page 251, to insert:

#### OHIO.

To L. C. Barclay, granddaughter of J. O'Connor Barclay, deceased, of Jefferson County, \$119.45.  
 To James F. Fitzhugh, administrator of William E. Fitzhugh, deceased, of Clinton County, \$1,681.37.  
 To Mary S. Franklin, widow of Gustavus S. Franklin, deceased, of Ross County, \$324.31.  
 To Charles B. Gilmore, brother of Fernando P. Gilmore, deceased, of Jefferson County, \$44.11.  
 To Esther H. Kautz, executrix of the estate of Albert Kautz, deceased, late of the United States Navy, \$211.07.  
 To Fred B. McConnell, heir at law of Rufus S. McConnell, deceased, late of the United States Navy, \$568.03.  
 To Nopie M. Le Breton, daughter of David McDougal, deceased, of Ross County, \$49.75.  
 To Mrs. George C. Hagan, widow (remarried) of John G. Mitchell, deceased, of Huron County, \$101.88.  
 To Joseph A. Scarlett, of Hamilton County, \$371.06.  
 To Joseph G. C. Schenck and Sarah Crane, children of James E. Schenck, deceased, of Montgomery County, \$100.25.  
 To Mary P. Shirley, executrix of the estate of James R. Shirley, only child of Paul Shirley, deceased, late of the United States Navy, \$1,167.43.  
 To Maria S. Wright, sister of Arthur H. Wright, deceased, of Franklin County, \$23.29.

The amendment was agreed to.

The next amendment was, on page 252, after line 12, to insert:

#### PENNSYLVANIA.

To Richard Ashbridge, of Philadelphia County, \$49.31.  
 To Adam K. Baylor, of York, \$275.59.  
 To Lucius B. Blydenburgh, brother of Benjamin B. Blydenburgh, deceased, of Philadelphia County, \$378.59.  
 To Georgiana Bonsall, widow of Edward Bonsall, deceased, of Delaware County, \$75.07.  
 To Mattie H. Chaplin, widow of J. Crossan Chaplin, deceased, late of the United States Navy, \$102.50.  
 To Elizabeth C. Van Reed, heir at law of George Cochran, deceased, late of the United States Navy, \$214.47.  
 To William Cuddy, of Philadelphia County, \$74.79.  
 To William L. Degn, Annette N. Degn McCoy, Minnie H. Degn Wilson, and Albert L. Degn, heirs of Laust E. Degn, deceased, late of the United States Navy, \$342.16.  
 To Walter B. Dick, late of the United States Navy, \$64.31.  
 To Michael C. Drennan, of Northampton County, \$15.89.  
 To William W. W. Dwier, of Philadelphia County, \$241.60.  
 To the Commonwealth Title Insurance & Trust Co., administrator de bonis non cum testamento annexo of the estate of Daniel Egbert, of Philadelphia, \$916.45.  
 To the Pennsylvania Co. for Insurance on Lives and Granting Annuities, executor of Henry Etting, deceased, of Philadelphia County, \$665.86.  
 To Ellen L. Faunce, widow of Peter Faunce, deceased, late of the United States Navy, \$401.76.  
 To Herbert R. Green, administrator de bonis non of the estate of Nathaniel Green, deceased, of Berks County, \$400.75.  
 To Margaret A. Hoffner, widow of Richard J. Hoffner, deceased, late of the United States Navy, \$255.78.  
 To Samuel W. Latta, of Philadelphia County, \$105.68.  
 To Margaretta D. Abbey, Henry Lelar, Jr., William D. Lelar, Mary D. Pierce, and Ellen D. Lelar, children and sole heirs at law of Henry Lelar, deceased, late of the United States Navy, \$312.37.  
 To Mary E. Maxwell and Blanche M. Lewis, daughters of James McClelland, deceased, of Northampton County, \$684.25.  
 To Mary McLeod, widow of Norman McLeod, deceased, late of the United States Navy, \$326.75.  
 To E. Rittenhouse Miller, executor of J. Dickenson Miller, deceased, late of the United States Navy, \$1,852.33.  
 To Rebecca P. Nields, executrix of Henry C. Nields, deceased, late of the United States Navy, \$960.  
 To Adelaide R. Shaw, widow of Samuel F. Shaw, deceased, of Philadelphia County, \$659.73.  
 To Georgia E. Morrison, administratrix of George Smith, deceased, late of the United States Navy, \$553.48.

To John C. Spear, of Montgomery County, \$232.60.  
 To Robert Steel, late of the United States Navy, \$158.83.  
 To Cornelia A. Ulmer, widow of Albert F. Ulmer, deceased, late of the United States Navy, \$388.51.  
 To Phoebe N. Ver Meulen, widow of Edmund C. Ver Meulen, deceased, of Philadelphia County, \$55.89.  
 To Henry Whelen, of Philadelphia County, \$158.12.  
 To Fred White, son and heir at law of Edward W. White, deceased, late of the United States Navy, \$652.75.  
 To P. Fendall Young, executor of William S. Young, deceased, of Philadelphia County, \$231.05.

The amendment was agreed to.

The next amendment was, at the top of page 256, to insert:

#### RHODE ISLAND.

To Frederick A. Caldwell, administrator of the estate of Charles H. B. Caldwell, deceased, of Woonsocket, \$80.75.  
 To Charles L. Green and Samuel T. Green, executors of Charles Green, deceased, residing in Providence, R. I., and South Windsor, Conn., respectively, \$1,550.87.  
 To Thomas Dunn, administrator of Charles Hunter, deceased, of Newport County, \$41.20.

The amendment was agreed to.

The next amendment was, on page 256, after line 12, to insert:

#### TENNESSEE.

To Flora C. Martine, widow of Alfred H. Martine, deceased, late of the United States Navy, \$691.91.

The amendment was agreed to.

The next amendment was, on page 256, after line 16, to insert:

#### UTAH.

To Mary V. R. Shipley, widow of George T. Shipley, deceased, late of the United States Navy, \$231.42.

The amendment was agreed to.

The next amendment was, on page 256, after line 20, to insert:

#### VERMONT.

To Henry L. Johnson, late of the United States Navy, \$142.47.

The amendment was agreed to.

The next amendment was, at the top of page 257, to insert:

#### VIRGINIA.

To Edward Ambler, executor of James M. Ambler, deceased, of Fauquier County, \$176.71.  
 To George P. Barnes, of Norfolk County, \$160.27.  
 To Mary J. Frothingham, Margaret E. Cavendy, Mary F. Coy, heirs at law of Edward Cavendy, deceased, late of the United States Navy, \$353.59.  
 To Charles Schroeder, administrator of the estate of Samuel G. City, deceased, of Norfolk, \$332.72.  
 To Margaret A. Blackmore, daughter of Charles F. Guillon, deceased, of Elizabeth City County, \$225.56.  
 To H. S. Herman, administrator of William M. King, deceased, of Norfolk County, \$207.99.  
 To John T. Newton, of Norfolk County, \$66.30.  
 To James M. Odend'hal, administrator of John W. Odend'hal, deceased, of Norfolk County, \$671.23.  
 To Alice C. McRitchie, Waring F. Reynolds, Clarence A. Reynolds, Henry S. Reynolds, C. Russell Reynolds, Virginia J. Reynolds, Frank H. Reynolds, Vernon T. Reynolds, and Fannie W. Reynolds, sole heirs at law of Silas Reynolds, deceased, residing in the States of Virginia, Maryland, and the District of Columbia, \$748.68.  
 To Mary S. McIntosh and Elizabeth S. Taylor, children of John L. Saunders, deceased, of Norfolk County, \$210.  
 To Louise V. Hudgins, daughter of Edward E. Stone, deceased, of Norfolk County, \$337.17.  
 To Mary E. R. Smith, widow (remarried) of Emory H. Taunt, deceased, of Culpeper County, \$105.20.

The amendment was agreed to.

The next amendment was, on page 258, after line 16, to insert:

#### WEST VIRGINIA.

To Julia M. Woods and Mary E. Hagan, daughters; Mary J. Edelen and William M. Junkin, grandchildren, of David X. Junkin, deceased, of Berkeley County, \$203.16.  
 To Harriet S. Lyeth, administratrix of Clinton H. Lyeth, deceased, late of the United States Navy, \$202.19.  
 To Thornton T. Perry, son of Roger Perry, deceased, of Jefferson County, \$51.80.

The amendment was agreed to.

The next amendment was, at the top of page 259, to insert:

#### WISCONSIN.

To Charles C. Grafton, brother of Edward C. Grafton, deceased, of Fond du Lac County, \$720.39.

The amendment was agreed to.

The next amendment was, on page 260, after line 4, to insert:

CLAIMS OF OFFICERS OF THE UNITED STATES ARMY FOR ADDITIONAL PAY, COMMONLY KNOWN AS LONGEVITY CLAIMS, SO AS TO INCLUDE THE PERIOD OF CADET SERVICE IN THE UNITED STATES MILITARY ACADEMY AT WEST POINT.

#### CALIFORNIA.

To Virginia Forse, administratrix of the estate of Albert Gallatin Forse, deceased, of Riverside County, \$1,924.62.  
 To Flora A. Janes, administratrix of Leroy L. Janes, deceased, of San Jose, \$752.08.  
 To James M. Seawell, administrator of the estate of Washington Seawell, deceased, of San Francisco, \$2,237.55.  
 To Julia E. Wilcox, widow of Orlando B. Wilcox, deceased, late of the United States Army, \$806.40.

#### DISTRICT OF COLUMBIA.

To Katherine Du B. Beale, administratrix of the estate of Samuel S. Carroll, deceased, of Washington, \$955.77.  
 To Thomas L. Casey and Edward P. Casey, surviving executors of the estate of Thomas L. Casey, deceased, of Washington, \$1,699.83.



To Richard G. Davenport, brother and sole heir at law of Thomas Corbin Davenport, deceased, of Washington, \$1,190.95.  
To Annie H. Eastman, administratrix of the estate of Seth Eastman, deceased, late of the United States Army, \$2,833.89.

To Ulrica Dahlgren Pierce, administratrix of the estate of Vinton A. Goddard, deceased, of Washington, \$549.84.

To Francis H. Hardie, Joseph C. Hardie, Caroline H. Neal, Catherine M. Hardie, and Isabelle H. Hardie, children and sole heirs at law of James Allen Hardie, deceased, of the District of Columbia, \$1,760.23.  
To the Washington Loan & Trust Co., administrator of the estate of Edward McK. Hudson, deceased, of Washington, \$1,624.45.

To Mary B. Hunt, executrix of the estate of Henry J. Hunt, deceased, of the District of Columbia, \$1,781.29.

To Alexander Mackenzie, of the District of Columbia, \$2,215.47.  
To Cornelia M. Mason, widow of John Sanford Mason, deceased, of the District of Columbia, \$1,412.14.

To Clara D. Miller, widow of John Miller, deceased, of the District of Columbia, \$5,335.44.

To the Washington Loan & Trust Co., administrator of the estate of Alfred Pleasanton, deceased, of Washington, \$1,320.83.

To the Washington Loan & Trust Co., administrator of the estate of Rufus Saxton, deceased, of Washington, \$1,239.65.

To John Paul Earnest, administrator of the estate of Sebree Smith, deceased, of the District of Columbia, \$1,188.73.

To the American Security & Trust Co., executor of the estate of Thomas Crook Sullivan, deceased, of Washington, \$2,009.38.

To Mary Tassin, widow of Augustus G. Tassin, deceased, of Washington, \$107.02.

To John A. Baker, administrator of the estate of William J. Twining, deceased, of the District of Columbia, \$2,438.85.

To the American Security & Trust Co., administrator de bonis non of the estate of Charles R. Woods, deceased, of the District of Columbia, \$1,080.99.

To Elizabeth P. O'Conner, widow (remarried), and Edward B. Wright, son and only child of Edward Maxwell Wright, deceased, late of the United States Army, \$1,101.32, to be proportioned as follows:  
To Elizabeth P. O'Conner, a subject of Great Britain, \$367.11.  
To Edward B. Wright, of the District of Columbia, \$734.21.

## FLORIDA.

To Hugh T. Reed, of Orange County, \$814.68.

## ILLINOIS.

To Maria N. Flint, widow of Franklin Foster Flint, deceased, of Highland Park, \$2,065.12.

## IOWA.

To Daniel Robinson, of Des Moines, \$4,756.06.

## KENTUCKY.

To Seneca H. Norton, of Ashland, \$436.32.

## MAINE.

To Lincoln H. Newcomb, administrator de bonis non cum testamento annexo of the estate of Henry Prince, deceased, of Eastport, \$1,946.56.

## MARYLAND.

To William M. Graham, sr., administrator of the estate of William Montrose Graham, deceased, of Anne Arundel County, \$590.80.

To Elizabeth B. Hughes, executrix of the estate of William Burton Hughes, deceased, of Baltimore, \$2,041.29.

To Catherine Tully, executrix of the estate of Redmund Tully, deceased, of Cumberland, \$2,013.06.

## MASSACHUSETTS.

To Henry L. Abbot, of Cambridge, \$2,029.57.

To Isabelle H. Adams, administratrix of the estate of Arthur Hubert Burnham, deceased, of Boston, \$1,912.97.

To Henry M. Lazelle, of Worcester County, \$2,330.03.

To Mary O. H. Stoneman, administratrix of the estate of George Stoneman, deceased, of Boston, \$1,291.30.

## MICHIGAN.

To Julia S. Weeks, administratrix of the estate of Capt. Harrison S. Weeks, deceased, late of the United States Army, \$1,572.70.

## NEBRASKA.

To William F. Norris, of the United States Army, \$1,009.20.

## NEW JERSEY.

To James Davison, United States Army, retired, \$2,917.98.

To John Henry Edson, of Union County, \$676.40.

To Henrietta B. Hawes, administratrix of the estate of David C. Houston, deceased, of Bergen County, \$2,071.02.

## NEW YORK.

To H. W. Dresser, administrator de bonis non cum testamento annexo of the estate of William C. Forbush, deceased, of Erie County, \$1,737.65.

To Campbell T. Hamilton, administrator of the estate of John Hamilton, deceased, of New York City, \$1,757.91.

To Edward H. Peaslee and Edmund P. Kendrick, executors of the estate of Henry L. Kendrick, deceased, of New York City and Springfield, Mass., respectively, \$2,179.60.

To Jacob Ford Kent, of Albany County, \$2,755.84.

To Alexander Logan Morton, of New York City, \$1,542.27.

To Annie Fraser Wood, administratrix of the estate of Lafayette B. Wood, deceased, late of the United States Army, \$1,202.10.

## OHIO.

To Caroline M. Clous, widow of John W. Clous, deceased, of Dayton, \$2,841.18.

To Virginia Lape, administratrix of the estate of Wentz Curtis Miller, deceased, of Hamilton County, \$1,543.60.

## PENNSYLVANIA.

To the Fidelity Trust Co., executor of the estate of Joseph Roberts, deceased, of Philadelphia, \$2,246.19.

To Annie E. Ruff, executrix of the estate of Charles Frederick Ruff, deceased, of Philadelphia, \$1,755.52.

## RHODE ISLAND.

To Mary Tooker Best, executrix of the estate of Clermont Livingston Best, deceased, of Newport, \$2,363.76.

## SOUTH CAROLINA.

To Cecile W. King, daughter and only child of Stephen Moore Westmore, otherwise known as Stephen West-Moore, of Charleston, \$486.72.

Provided, That in the settlement of claims for longevity pay and allowances on account of services of officers in the Regular Army arising

under section 15 of an act approved July 5, 1838, entitled "An act to increase the present military establishment of the United States, and for other purposes," and subsequent acts affecting longevity pay and allowances, the accounting officers of the Treasury shall credit as service in the Army of the United States, within the meaning of said acts, all services rendered as a cadet at the United States Military Academy and as an enlisted man or commissioned officer in the Regular and Volunteer Armies, and no settlement heretofore made shall preclude a settlement under the terms of this act.

The amendment was agreed to.

Mr. JOHNSTON of Alabama. I wish to ask the chairman of the committee if it is in order now for me to offer an amendment to the paragraph which has just been read.

Mr. CRAWFORD. I would prefer to have the amendments of the Committee on Claims disposed of first. Then I shall be glad to give an opportunity for individual amendments.

The PRESIDING OFFICER. Without objection, the amendment is agreed to. The reading of the bill will be resumed.

The reading of the bill was resumed.

The next amendment of the Committee on Claims was, on page 267, after line 17, to insert:

MISCELLANEOUS CLAIMS WHICH ARE BASED ON COURT FINDINGS.

## CALIFORNIA.

To the State of California, \$5,265.95.

## KENTUCKY.

To the legal representative of James Harvey Dennis, \$26,538.50, being the sum found by the Court of Claims to be due to him by reason of certain contracts for the improvement of the Tennessee River.

To Louis Landram, administrator of William J. Landram, deceased, late collector of internal revenue for the eighth collection district of Kentucky, \$5,346.29.

## MICHIGAN.

To John Alexander Besonen, of Marquette County, \$297.27.

## NEW YORK.

To Isabella G. Francis, administratrix of the estate of Roger A. Francis, deceased, late a resident of the State of New York, \$17,185.47.

## PENNSYLVANIA.

To Clayton G. Landis, administrator of the estate of David B. Landis, deceased, late of Lancaster, \$11,112.22; and to the estate of Jacob F. Sheaffer, deceased, late of Lancaster, \$34,055.

## VIRGINIA.

To D. B. Barbour and Andrew P. Gladden, of Newport News, Va., and Clarksburg, W. Va., respectively, \$758.

Mr. CRAWFORD. There is an error in the computation of the items under California, and it is necessary to amend the amendment. I offer the amendment I send to the desk.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. On page 267, line 20, strike out the word "five" and insert in lieu thereof the word "twenty-eight."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. CRAWFORD. I desire to offer an amendment, to be inserted in line 9, on page 269. It is to save administration costs where the amounts are so small that the cost of administration would eat up the amount of the claim.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 269, line 9, after the words "Army or Navy," it is proposed to insert:

Or for overtime in United States navy yards.

The amendment was agreed to.

The next amendment was, on page 270, after line 9, to insert as a new section the following:

SEC. 4. That from and after the passage and approval of this act the jurisdiction of the Court of Claims shall not extend to or include any claim against the United States based upon or growing out of the destruction of any property or damage done to any property by the military or naval forces of the United States during the war for the suppression of the rebellion; nor to any claim for stores and supplies taken by or furnished to or for the use of the military or naval forces of the United States, nor to any claim for the value of any use and occupation of any real estate by the military or naval forces of the United States during said war; nor shall said Court of Claims have jurisdiction of any claim which is now barred by the provisions of any law of the United States.

The amendment was agreed to.

The reading of the bill was concluded.

Mr. CRAWFORD. Mr. President, this is probably as far as we shall be able to proceed this morning. It concludes the reading of the amendments so far as concerns those proposed by the committee.

I desire to press the bill for consideration during the morning hour to-morrow, and if Senators have amendments which they wish to present and have voted upon I hope they will then be ready.

Mr. LODGE. Mr. President, I have two amendments.

The PRESIDING OFFICER. The bill is still in the Senate as in Committee of the Whole and open to amendment.

Mr. LODGE. I have two amendments to offer, to come in on page 264, after line 17. They are two claims for longevity pay, which came in too late to be dealt with by the committee.

Longevity claims have all been allowed, and the committee has gone further and has brought in a clause providing for their being paid without the necessity of going in as separate claims in bills—a general payment. Therefore, I think these two should be included with the other longevity claims.

Mr. CRAWFORD. I think the committee can accept those amendments. They are in exactly the same class and are governed by the same law and decisions of the courts as the items of that character in the bill.

Mr. SMOOT. I should like to ask the chairman of the committee whether he expects to accept amendments embracing other classes of claims under the headings as found in this bill?

Mr. CRAWFORD. Certainly not. But I think that in a case like this, where the courts have settled the question and the Court of Claims has made a finding, it being exactly the same as 75 others, the committee ought really to accept the amendment, but outside of cases which come within such classes I do not propose to accept amendments.

Mr. LODGE. A general clause has been put in covering all these claims. They are not open to a single objection, of course.

Mr. SMOOT. I did not rise to make any objection, but I wanted to know what the policy of the chairman of the committee was to be in relation to other amendments that may be offered, because if such amendments are to be offered to this bill, and are to be accepted by the chairman, it seems to me the bill will be opened so widely and loaded so heavily that it will be almost impossible to pass it.

Mr. CRAWFORD. I will say very frankly that I shall oppose, generally, amendments to this bill unless there is some reason so manifest why they should be allowed that the committee can accept them. Otherwise I certainly shall feel like referring them to the Senate and having them discussed.

The PRESIDING OFFICER. The Secretary will state the amendments proposed by the Senator from Massachusetts.

The SECRETARY. On page 264, after line 17, it is proposed to insert:

To Frank H. Phipps, of Springfield, Mass., \$2,314.17.  
To Clifford H. Frost and Frank B. McAllister, trustees under the will of Zealous B. Tower, late of the United States Army, \$1,669.51.

The amendments were agreed to.

Mr. SHIVELY obtained the floor.

Mr. CRAWFORD. The Senator from Connecticut has an amendment exactly the same as that of the Senator from Massachusetts.

The PRESIDING OFFICER. The Chair has recognized the Senator from Indiana, who has the floor.

Mr. SHIVELY. Mr. President, I have here an amendment which I think is identical in nature with the amendment just offered, which was accepted by the chairman of the committee. It is an amendment to come in on page 259, after line 4. I send the amendment to the desk.

The PRESIDING OFFICER. The amendment proposed by the Senator from Indiana will be stated.

The SECRETARY. On page 259, after line 4, it is proposed to insert:

To Thomas Addington, of Winchester, Ind., \$78.54.

Mr. CRAWFORD. At what place on page 259 is it to be inserted?

The PRESIDING OFFICER. On page 259, after line 4.

Mr. CRAWFORD. Is that a longevity claim? I will ask the Senator from Indiana to hand it to me, and let it go over until we take up the bill to-morrow.

Mr. SHIVELY. I do not want to take any chances.

Mr. CRAWFORD. I shall probably have no objection to it.

Mr. SHIVELY. I think it is exactly the same kind of claim that was presented and which was accepted by the chairman of the committee. I want to add, however, that it seems there has been some change in the print of the bill since I filed this report, so that perhaps that is not precisely the place in the bill where the amendment should appear.

#### IMPEACHMENT OF ROBERT W. ARCHBALD.

The PRESIDENT pro tempore (Mr. BACON) having announced that the time had arrived for the consideration of the articles of impeachment against Robert W. Archbald, the respondent appeared with his counsel, Mr. Worthington, Mr. Simpson, and Mr. Robert W. Archbald, jr.

The managers on the part of the House of Representatives appeared in the seats provided for them.

The PRESIDENT pro tempore. The Sergeant at Arms will make proclamation.

The Assistant Sergeant at Arms (Mr. Cornelius) made the usual proclamation.

The PRESIDENT pro tempore. The Journal of the last sitting of the court will be read.

Mr. GALLINGER. Mr. President, I would raise the question of a quorum.

The PRESIDENT pro tempore. The Senator from New Hampshire makes the point of no quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Cullom	McLean	Smith, Ariz.
Bacon	Curtis	Martin, Va.	Smith, Ga.
Bailey	Davis	Martine, N. J.	Smith, Md.
Bankhead	Dixon	Massey	Smith, Mich.
Borah	du Pont	Myers	Smith, S. C.
Brandegee	Fletcher	Newlands	Smoot
Bristow	Foster	O'Gorman	Stephenson
Brown	Gallinger	Oliver	Sutherland
Bryan	Gardner	Overman	Swanson
Burnham	Guggenheim	Page	Thornton
Burton	Hitchcock	Penrose	Townsend
Clapp	Johnson, Me.	Perkins	Warren
Clark, Wyo.	Johnston, Ala.	Perky	Wetmore
Clarke, Ark.	La Follette	Pomerene	Works
Crane	Lea	Richardson	
Crawford	Lodge	Root	
Culberson	McCumber	Shively	

Mr. CULBERSON. The Senator from Oregon [Mr. CHAMBERLAIN] is absent necessarily on business of the Senate. I make that announcement for the day.

Mr. PAGE. On account of the continued illness of my colleague [Mr. DILLINGHAM], he is absent from the city.

Mr. WORKS. The senior Senator from Washington [Mr. JONES] is necessarily absent on business of the Senate. I make this announcement for the day.

Mr. SHIVELY. My colleague [Mr. KERN] is unavoidably absent from the Senate. I make this announcement to stand for the day.

The PRESIDENT pro tempore. Upon the call of the roll of the Senate 65 Senators have responded to their names. A quorum of the Senate is present. The Secretary will read the Journal of the last session of the Senate sitting as a Court of Impeachment.

The Journal of yesterday's proceedings of the Senate sitting as a Court of Impeachment was read.

Mr. WORTHINGTON. I should like to hear read again what is in the minutes as to the description of the papers which were subject matter of the vote. As I understood it, it did not seem to me to be correct.

The PRESIDENT pro tempore. The Secretary will again read the item.

The Secretary read as follows:

Pending the examination of the witness, Mr. WEBB offered in evidence copy of an assignment by E. J. Williams to William P. Boland of two options covering a culm bank known as Katydid, executed on the 5th of September, A. D. 1911.

Mr. WORTHINGTON. That is correct.

The PRESIDENT pro tempore. If there are no objections to the Journal, it will be considered as approved.

Mr. BANKHEAD. Mr. President, I ask that I may be sworn.

The PRESIDENT pro tempore. Senators who are present who have not heretofore been sworn will advance to the desk and take the oath.

Mr. BANKHEAD and Mr. LEA advanced to the Vice President's desk, and the oath was administered to them by the President pro tempore.

Mr. WORKS. Mr. President, I offer the following order.

The PRESIDENT pro tempore. It will be read.

The Secretary read as follows:

Ordered, That such briefs and citations of authorities as have already been prepared by the managers on the part of the House and counsel for the respondent be filed with the Secretary and printed in the Record for the immediate use of Senators.

Mr. Manager CLAYTON. Mr. President, I thought the Senate had indicated its pleasure yesterday to await the disposition of the matter of presenting the briefs until the argument of the case was to be had.

I wish to say, Mr. President, assuming the ruling of the Senate yesterday to be to the effect that the managers would not be expected to bring any brief to-day, they have not brought a brief into the Senate at this time. If, however, Mr. President, the Senate sees fit to adopt that order the managers will acquiesce in it and will at the earliest practicable moment bring into the Senate the brief which they have prepared—and to which perhaps they may wish to add a little between now and the time of its presentation—and file it in accordance with the order, so that it may be printed.

Mr. WORTHINGTON. We, too, Mr. President, had assumed that that matter would come up later in the trial. But very soon after the brief of the managers shall be filed, of which



we will be furnished a copy, of course, we will submit our brief in reply.

The PRESIDENT pro tempore. Is there objection to the order which has been read from the desk? The Chair hears none, and it will be considered as having been unanimously ordered.

Mr. Manager WEBB. Mr. President, may I at this point make one correction in the RECORD? On page 98, in the right-hand column, five paragraphs from the bottom, the question was, "I understand that when the note was gone," and so forth. It should read "when the note was drawn."

The PRESIDENT pro tempore. That correction is recognized as proper by all, and it will be made.

Mr. WORTHINGTON. Mr. President, I would like to ask whether we can be furnished with a copy of the proceedings each day.

The PRESIDENT pro tempore. Undoubtedly.

Mr. WORTHINGTON. We have none on our desks.

The PRESIDENT pro tempore. The Chair will direct that there be furnished each day to the counsel and to the managers a sufficient number of copies. The Chair is informed that they are now upon the desks of the counsel.

Mr. WORTHINGTON. I meant the CONGRESSIONAL RECORD.

The PRESIDENT pro tempore. The Chair will direct that the managers and the counsel for the respondent be furnished with copies of the RECORD also each day.

Mr. Manager WEBB. May I now ask that Mr. E. J. Williams be recalled as a witness?

Mr. Manager CLAYTON. Mr. President, my brother WEBB was not at the session held by the managers this morning. He was detained elsewhere, but all the managers with the exception of my brother WEBB were present. It was called to our attention that a certain witness who has been subpoenaed announced that he did not intend to come here unless brought on process issued by the Senate. It appeared yesterday, Mr. President, from reading the returns of the Sergeant at Arms, that Mr. J. H. Rittenhouse, an important witness in this case, had been regularly subpoenaed to attend and was required to be here yesterday. He was not here yesterday. He is not here to-day. He is the witness who, we are informed, said he would not come unless brought here by process of the Senate.

Therefore, Mr. President, I ask to have called the officer who served the subpoena upon the witness and prove the service. Then I shall ask for an attachment to bring him here.

The PRESIDENT pro tempore. He will be called.

James K. Julian appeared and was sworn.

Mr. Manager CLAYTON. Mr. President, will you interrogate him as to the service?

The PRESIDENT pro tempore. Mr. Julian, were you charged with the service of a subpoena upon Mr. J. H. Rittenhouse?

Mr. JULIAN. I was.

The PRESIDENT pro tempore. Did you serve it?

Mr. JULIAN. I did.

The PRESIDENT pro tempore. At what time and place?

Mr. JULIAN. Saturday, November 3, at 10 a. m., 713 Connell Building, Scranton, Pa.

The PRESIDENT pro tempore. In what manner did you serve him?

Mr. JULIAN. I served him personally and left a copy.

The PRESIDENT pro tempore. Delivering him a copy?

Mr. JULIAN. Delivering him a copy.

Mr. Manager CLAYTON. I failed to catch, Mr. President, whether you asked the witness what his office is.

Mr. JULIAN. I am an employee in the office of the Sergeant at Arms of the Senate.

Mr. Manager CLAYTON. And by the direction of the Sergeant at Arms of that office you served this subpoena upon J. H. Rittenhouse?

Mr. JULIAN. I did.

Mr. Manager CLAYTON. Mr. President, I make the statement that we are entitled to this attachment by reason that the witness was not here at the sitting when his name was called. Therefore I should like for him to be called now.

The PRESIDENT pro tempore. The Sergeant at Arms will call the name of the witness.

The ASSISTANT SERGEANT AT ARMS. Mr. James H. Rittenhouse! James H. Rittenhouse! James H. Rittenhouse! Appear and answer the summons.

Mr. Manager CLAYTON. The witness not having answered, Mr. President, I move for the appropriate order.

The PRESIDENT pro tempore. The manager will send it to the desk and it will be acted upon at once.

Mr. Manager CLAYTON (after a pause). I will ask that the Secretary report the proposed order.

The PRESIDENT pro tempore. The Secretary will report it.

The Secretary read as follows:

Ordered, That an attachment do issue in accordance with the rules of the Senate of the United States for one J. H. Rittenhouse, a witness heretofore duly subpoenaed in this proceeding on behalf of the managers of the House of Representatives.

The PRESIDENT pro tempore. Is there objection to the adoption of the order just read from the desk? If not, it will be considered as having been unanimously adopted, and the necessary attachment will be issued.

TESTIMONY OF E. J. WILLIAMS—CONTINUED.

Mr. Manager WEBB. Now, I ask that E. J. Williams be called. It has been suggested that the few remaining questions which I am to ask this witness may be heard more distinctly by standing at this point in the Chamber. [Taking a position in the aisle.]

E. J. Williams appeared and took the seat at the Secretary's desk provided for witnesses.

Q. (By Mr. Manager WEBB.) Mr. Williams, yesterday afternoon, just before the Senate adjourned, I asked you if you knew that C. G. and W. P. Boland were parties to a lawsuit pending at the time you presented that note to them from Judge Archbald, and you said you did not remember. Is that correct?—A. I can not hear you very well, sir.

Q. Yesterday afternoon I understood you to say that when the note was drawn by Judge Archbald to John Henry Jones and signed by Judge Archbald, and indorsed by Judge Archbald, yourself, and Jones, and was turned over to you to be discounted, and when you started to Mr. Boland to have him discount it, you did not know that W. P. or Christy Boland were parties to a suit then pending in Judge Archbald's court.—A. I do not think they were, sir.

Q. If I may be permitted to refresh your recollection, let me ask you if you did not swear before the Judiciary Committee last May—

Mr. WORTHINGTON. On what page?

Mr. Manager WEBB. Page 479.

The WITNESS. Look at the date on the note and look at the date of the suit.

Q. (By Mr. Manager WEBB.) If the note was drawn in the summer or fall of 1909—A. Yes. There was not suit then.

Q. Let me ask you this question: Did you not swear before the Judiciary Committee as follows—A. I might swear wrong, you know, because I did not know the date exactly.

Q. Listen to this question please, Mr. Williams:

The CHAIRMAN. At the time you presented the note to Boland and asked him to discount it, did you know that either one or both of the Bolands was party defendant in a case pending before Judge Archbald? Mr. WILLIAMS. Well, I did know; but I did not think of that, though—that that had anything to do with it.

Did you swear to that before the Judiciary Committee?

A. I did not know and never considered anything of the kind.

Q. Judge Archbald, in his answer, admits that when this note was executed by him and turned over to you and Jones for discount there was a suit pending in his court in which the two Bolands were parties because they owned two-thirds interest in the Marian Coal Co. If the judge knew that, I ask if you did not know it too?—A. No, sir; I did not know it.

Q. I ask you if you did not swear before the Judiciary Committee that you did know it—

Well, I did know, but I did not think that had—

A. No, sir.

Q. "That had anything to do with it"?—A. No, sir; not with me at that time. I did not go there on any suit or any consideration of any suit. I went there as a friend to them.

Q. I understand that, Mr. Williams.—A. They were, I think, friendly with me all right.

Q. The point I want to bring out is whether or not you knew when you carried that note to the Bolands that they were interested in a suit then pending in Judge Archbald's court?—A. I never considered that at all.

Q. Did you swear last May before the Judiciary Committee that you knew it?—A. I do not remember whether I did or not.

Q. You were intimate with the Bolands, were you not?—A. Very intimate with them; yes, sir.

Q. And intimate with the Judge?—A. Yes, sir; with them all.

Q. Do you mean to say that you did not know the Bolands were interested in a suit with Peale against the Marian Coal Co.?—A. No, sir; I did not know. I am perfectly honest in my opinion all right that I did not know, and never considered it in the transaction at all.

Q. I asked you yesterday afternoon if you did not go to Judge Archbald immediately after you were subpoenaed to come down and testify before the Judiciary Committee, and you answered "I do not remember." Do you remember now whether or not

you did go to Judge Archbald's office immediately after you were subpoenaed to come before the Judiciary Committee?—A. I should not wonder a bit if I did.

Q. Did you?—A. Yes, sir; I did.

Q. Did you go to his office in the Federal Building in Scranton immediately after you were subpoenaed to come before the Judiciary Committee?—A. Yes, sir.

Q. I ask you if you swore this before the Judiciary Committee—

Mr. WORTHINGTON. On what page?

Mr. Manager WEBB. Page 800 [reading]:

The CHAIRMAN. John Henry Jones, testifying last Saturday, I believe, said that when he went to Judge Archbald's office last Monday—that is, the Monday before the one just gone—to have a note indorsed by the judge he found you present. Were you there?

Mr. WILLIAMS. Yes, sir.

The CHAIRMAN. That was after you had been subpoenaed to testify before this committee, was it not?

Mr. WILLIAMS. I guess it was; yes, sir.

The CHAIRMAN. Why did you go to Judge Archbald's office after you had been subpoenaed to come before this committee to testify?

Mr. WILLIAMS. I did not go about the—I just told him I was subpoenaed on the case.

The CHAIRMAN. You went down to his office to tell him you had been subpoenaed?

Mr. WILLIAMS. Yes, sir; I got subpoenaed.

The CHAIRMAN. What else did you tell him?

Mr. WILLIAMS. That is all he said to me—to tell the truth and the whole truth about it—and that is all. And that is all the talk I had about the thing altogether. "Tell the whole truth to them," he says, "the whole thing." That is what the judge said to me.

The CHAIRMAN. How many conversations have you had with Judge Archbald about the sale of this culm bank since Mr. Brown examined you on March 23, 1912?

Mr. WILLIAMS. Not many.

The CHAIRMAN. How many would you say, Mr. Williams?

Mr. WILLIAMS. Well, I might have three or four talks with him now and then.

Is that correct? Is it true that you were in Judge Archbald's office?—A. Yes, sir.

Q. On Monday morning, after having been subpoenaed here on Sunday?—A. Yes, sir.

Q. Why did you go to Judge Archbald's office immediately after you were subpoenaed to come down here and testify in this investigation before the House committee?—A. I think it was natural for me to go there. Was it not?

Q. Why was it natural?—A. And tell him what was going on. That is the point. He told me then, sir, to tell the truth and let the consequences go where they will. That is what he told me, and I am telling you the truth.

Q. So you remember this morning that you did go to his office, and you did not remember it yesterday. Now, I ask you if you did not give this to the Judiciary Committee as a reason why you went there? It is found on page 803, in your testimony:

Mr. WILLIAMS. He did pay my fare; yes, sir.

Mr. WEBB. You did say, too, that the only time you saw him was at the railroad station; is that right?

Mr. WILLIAMS. I seen him. I was in the office Monday morning, and I was there for the same purpose as I was when I went to the depot to meet him—to get money to come here. That was my object.

Did you swear that before the Judiciary Committee?—A. Yes, sir.

The PRESIDENT pro tempore (after a pause). The witness has answered the question.

The WITNESS. Yes, sir.

Q. (By Mr. Manager WEBB.) Now, one more question, Mr. Williams. When you were talking to the judge about Mr. May's refusal to let you have this option after, as you said yesterday, Mr. May had gruffly declined to give it to you, did the judge then and there tell you that he had some cases in which Brownell was interested, and that he would go to see Brownell?—A. You say that. I do not understand you all right. Let me understand you better.

Q. I ask you if, after Mr. May had gruffly declined to let you have this option on the Katydid culm bank and you returned to the judge with that information, if the judge told you then and there that he had some cases before his court in which Brownell was interested?—A. No; I picked up the paper myself, sir, off the desk there. "Here are some cases," I said, "against the Erie, ain't they—these lighterage cases; two cases there?"

Q. Let me ask you this question, then. On page 588 of the record before the House Committee on the Judiciary I ask you if the chairman did not make this statement to you,

And he told you—

Referring to the judge—

that the lighterage case was one of the cases that Brownell and the railroad company were interested in?

Mr. WILLIAMS. Yes, sir.

The WITNESS. Yes, sir; those are the cases that are on the paper.

Q. (By Mr. Manager WEBB.) Did he tell you that Brownell was interested in those cases?—A. No, sir; he did not tell me nothing of that kind.

Q. I thought you said yesterday that you knew that Mr. Brownell was marked counsel?—A. I did not tell you any such thing, sir.

Q. What?—A. I did not tell you that. I told you that I picked up that paper off the desk and the two cases I seen there, and I asked what "lighterage" meant. I did not know what it meant at all. I did not know what lighterage was, and he explained to me the lighterage.

Q. Why were you examining the United States Commerce Court judge's docket? Why were you examining his docket at that time? When you were talking about securing this culm dump from the Erie Railroad, why were you examining his docket?—A. I do not understand that.

Q. Why were you examining the judge's docket—the brief, or whatever you call it?—A. The trial list was on the table, on the desk.

Q. Why were you looking into the trial list of cases before his court?—A. I just looked at it and picked it up.

Q. Was the word "lighterage" written on it?—A. Yes, sir.

Q. Did you then ask the judge what "lighterage" meant?—A. I did; yes, sir.

Q. Did he tell you then that that was one of the cases in which Brownell was interested, and that he would go to see Brownell?—A. That that was one of the cases against the Erie at the time.

Q. Why were you talking about cases which the Erie had? Was it because you were trying to get this dump from the Erie?—A. Because those were the cases that I seen on the list, sir.

Q. And you were trying to get the Katydid dump from the Erie, from Mr. May; is that right?—A. What?

Q. And that you were trying to get the Katydid culm dump through Mr. May from the Erie Railroad; is that right?—A. No; I was not. I told you that those are the first cases that I seen on the list.

Q. I understand. And the Erie Railroad owned this culm dump?—A. Yes, sir.

Q. And you were trying to get the culm dump from Mr. May, who was the agent of the Erie Railroad by being the manager of the coal company—that you were trying to get this dump from Mr. May? Now, can you tell me why you and Judge Archbald should discuss the two cases at that particular time concerning the Erie Railroad Co., which company was a party defendant in his Commerce Court at that time?—A. I can not tell you why.

Q. You can not tell us why?—A. I can not tell you why, sir; because those were the first cases I seen there on the paper.

Q. Let me ask you this question: How long after you and the judge discussed these lighterage cases was it before the judge went to New York to see Brownell?—A. Oh, well, I could not tell you that.

Q. Was it three days or a week?—A. How could I tell you that? I do not keep those things stamped on my mind, you know. I could not tell you whether it was a week or whether it was a month. I do not know.

Q. You know it was not a month, do you not?—A. What?

Q. You know it was not a month?—A. I could not tell you.

Q. Anyway, I understood you to say that the judge told you that he had gone to New York and had seen Brownell, and also that he had seen Mr. May on the street the day before, and that Mr. May said "tell Mr. Williams to come up and he can get that."—A. That is right, sir.

Q. Listen, Mr. Williams: "Mr. May likes you very much and you can get that and anything else you want."—A. Oh, well, that is right.

Q. How much of that did he tell you?—A. That is all right. How is that?

Q. How much of that did he tell you? Did he tell you that May had told him to tell you to come up and get the option?—A. I went up right straight, sir, and got it.

Q. Who told you to go and get it?—A. Judge Archbald told me to go and get it; that he had seen May, happened to meet him on the street, and that he told him to tell me to come up and see him. I went up and I got it.

Q. And at that time he had already seen Brownell? Is that right?—A. Yes, sir.

Q. That he had been to New York and had seen Brownell?—A. That is all right.

Q. I want to ask you if you talked—

Mr. POMERENE. Mr. President, I should like to have the question submitted to the witness which I send to the desk, and also, following that question, one other.



The PRESIDENT pro tempore. The question desired to be propounded to the witness by the Senator from Ohio will be read.

The Secretary read as follows:

Q. Did you or Judge Archbald first speak about these cases being on the trial list?

The WITNESS. No, sir.

Mr. POMERENE. I suggest that the question be repeated to the witness.

The PRESIDENT pro tempore. The Secretary will again read the question to the witness.

The Secretary again read the question.

The WITNESS. No, sir. I looked at the cases myself. Judge Archbald did not tell me.

Mr. POMERENE. I do not believe the witness understands the question.

The PRESIDENT pro tempore. The witness has substantially answered the question, the Chair thinks.

Mr. POMERENE. Which one first mentioned the fact of these cases being on the docket?

The WITNESS. Me, sir.

The PRESIDENT pro tempore. The next question desired to be propounded by the Senator from Ohio will be read:

The Secretary read as follows:

Q. Did you and the judge ever before speak of other cases on the docket?

The WITNESS. No, sir; never before.

Q. (By Mr. Manager WEBB.) Mr. Williams, then you say that that is the only time you and the judge ever discussed cases on his docket?—A. What?

Q. I understand you to say that that is the only time you and the judge ever discussed cases on his docket?—A. Only as I asked him the question of what lighterage meant. That was the only question, sir.

Q. But the question was, did you and the judge ever discuss any other cases on his docket?—A. No, sir.

Q. That is the only case, then, that you ever discussed with him?—A. The only case, sir.

Mr. Manager WEBB. Mr. President, I should like to introduce the following letter—

Mr. WORTHINGTON (after examining the letter). That is agreed to.

Mr. Manager WEBB. I desire that the letter shall be read. Now, Mr. Williams, I wish you would please listen to this letter.

The PRESIDENT pro tempore. The Secretary will read, as requested.

The Secretary read the following letter, which was marked "Exhibit No. 10":

[U. S. S. Exhibit 10.]

(R. W. Archbald, Judge United States Commerce Court, Washington.)

SCRANTON, PA., September 20, 1911.

MY DEAR MR. CONN: This will introduce Mr. Edward Williams, who is interested with me in the culm dump about which I spoke to you the other day. We have options on it both from the Hillside Coal Co. and from Mr. Robertson, representing Robertson & Law, these options covering the whole interest in the dump. This dump was produced in the operation of the Katydid colliery by Robertson & Law, and extends to the whole of the dump so produced. I have not seen it myself, but, as I understand it, this dump consists of two dumps a little separate from each other, but all making up one general culm or refuse pile made at that colliery. Mr. Williams will explain further with regard to it, if there is anything which you want to know.

Yours, very truly,

R. W. ARCHBALD.

Q. (By Mr. Manager WEBB.) Mr. Williams, did you carry that letter by your hand to Mr. Conn?—A. Yes, sir.

Q. You did?—A. Yes, sir.

Q. I believe you stated yesterday that you proposed to sell to Mr. Conn for \$20,000?—A. What?

Q. I believe that you stated that you proposed to sell to Mr. Conn for \$20,000?—A. No, sir; I did not.

Q. No; it was 27½ cents a ton that you agreed to sell to him for.—A. Yes, sir; that is right now; but the \$20,000 was not in it at all.

Q. Anyway that deal was not consummated, not closed; Conn did not buy it?—A. They did not think that the title was good enough.

Q. I understand. He did not buy it?—A. No, sir.

Q. Then later you negotiated with Jones—Thomas Howell Jones—for it, and he did not buy it?—A. No; but it was not on account of the title that Thomas Jones did not take it.

Q. I understand that. Then you negotiated the sale of it with Bradley last April. Is that right?—A. I told you yesterday that this thing was sold for \$20,000, sir.

Q. To Bradley?—A. To Bradley; yes, sir.

Q. And did this investigation which was going on in Scranton and in Washington break up that sale?—A. If this investiga-

tion had not come for two days I would have sold it and got the money, sir.

Q. Did Judge Archbald write you and give you the letter to take to Conn?—A. Judge Archbald did, and I wrote the last letter; me and Boland—Bill Boland—had that letter to Conn dictated, and I took it over myself to him.

Q. I understand; but as to the letter you have just heard read from the Secretary's desk, did the judge give you that letter to take to Conn?—A. The judge?

Q. Yes; the letter which was just read from the desk there a moment ago introducing you to Mr. Conn.—A. I think that was my own letter, was it not?

Q. What was your answer to that?—A. Was not that my own letter?

Q. I suspect you have the letters confused. The letter I refer to is the one dated Scranton, September 20, 1911:

MY DEAR MR. CONN: This will introduce Mr. Edward Williams, who is interested with me in the culm dump—

The WITNESS. All right. Yes; that is right.

Q. (By Mr. Manager WEBB.) Who gave you this letter to take to Conn?—A. The judge.

Q. Who wrote it?—A. I guess the judge.

Q. Judge Archbald, do you mean?

Mr. WORTHINGTON. That is admitted. There is no question about it.

Mr. Manager WEBB. Very well.

Q. (By Mr. Manager WEBB.) After the deal with Bradley for the dump failed, did you talk to Judge Archbald about this matter?—A. No, sir; I did not tell Judge Archbald when I was selling it to Bradley. I made that from my own mind. I did not tell Judge Archbald that I was going to sell it. He did not know that I was selling it.

Q. I ask you this question: If, after May recalled that tentative deed to Bradley and the contract was withdrawn and Bradley was unable to buy it on account of May's refusing to make the deed—I ask you if you talked to Judge Archbald about the failure to make the trade with Bradley?—A. I did not; no, sir. I did not tell Judge Archbald about the sale of it at all. I went on and done it myself.

Q. You mean that you would make an important deal of that kind without your partner or friend being consulted?—A. Oh, yes; I was going to sell it, anyhow. I meant to give him half, all right. I did not mean to cheat him out of it at all; no, sir. I am not that kind of a man, sir.

Q. I ask you this question: If you did not swear before the Judiciary Committee with reference to the question as to whether or not you had talked with Judge Archbald after Bradley had failed to get the deed, as follows:

The CHAIRMAN—

Mr. WORTHINGTON. I ask from what page the manager is reading?

Mr. Manager WEBB. Pages 524 and 525.

The CHAIRMAN. After the deal failed of consummation, did you talk with him?

Mr. WILLIAMS. Yes.

The CHAIRMAN. What was that conversation?

Mr. WILLIAMS. Well, he did not want to sell it.

The CHAIRMAN. Why?

Mr. WILLIAMS. He wanted to let it stand there.

The CHAIRMAN. Then he changed front entirely on the matter of selling it and dividing the profit, he taking a third; he had changed his mind entirely about it, had he?

Mr. WILLIAMS. He thought it would be worth more some other time.

The CHAIRMAN. Then you and he agreed that all your efforts to sell to Conn were not in earnest, and you did not want to sell to Conn?

Mr. WILLIAMS. Yes, sir.

The CHAIRMAN. You agreed to do that. Why did you agree that you did not want to sell it, and when did you reach the conclusion that you did not want to sell it?

Mr. WILLIAMS. About three or four weeks ago.

I ask you if you swore that before the Judiciary Committee?—A. What is your question? Ask me the question square, and then I will answer it.

Q. The question, then, boiled down, is, after the Bradley deal failed the chairman asked you if you talked to the judge, and you said yes. Is that right?—A. Yes.

Q. And that you and the judge then agreed that you did not want to sell this dump; that the judge thought it would bring more at some later time?—A. The judge did not want to sell it.

Q. At that time?—A. No, sir.

Q. Then, I suppose you did swear this before the Judiciary Committee?—A. The judge did not want to sell it at the time, but I did; I wanted to sell it.

Q. And that was in April, was it not, that he did not want to sell?—A. I could not tell you the time. I can not tell you exactly the time or the date.

Q. You swore before the committee that it was "three or four weeks ago," when you were examined here about the 9th

or 10th of May, so that would have made it some time in April. Is that right?—A. Oh, yes.

Q. I ask you now if at that time it was not rumored around in Scranton that this investigation was being held into Judge Archbald's conduct, and I ask you if that is the reason that the judge stopped you from making any other sale of this culm dump?—A. Yes.

Q. That is true, is it?—A. Yes.

Q. Mr. Williams, after you had presented this \$500 note to one of the Bolands, or both of them, for discount, and they declined to discount, I ask you if, subsequent to that time, several months, you did not tell one of the Bolands, or both of them, that they made a great mistake in not discounting that note?—

Mr. WORTHINGTON. I object to that question.

Mr. Manager WEBB. Let me finish it—if they did not make a great mistake in failing to discount that note; that if they had discounted it they would not have lost their suit?

The WITNESS. I never said such a thing, sir.

The PRESIDENT pro tempore. Wait a moment. The Chair understands counsel to object.

Mr. WORTHINGTON. What is the use of objecting, Mr. President, since the witness has stated sufficient of his answer to show what it will be?

The PRESIDENT pro tempore. The Chair has cautioned him repeatedly not to do so.

Mr. WORTHINGTON. The Chair has done his duty, surely.

Mr. Manager WEBB. That is all the questions we have to ask the witness at present.

Mr. THORNTON. Mr. President, I desire that the witness answer the question I send to the desk before he is released by the managers.

The PRESIDENT pro tempore. The Senator from Louisiana requests that a question be propounded to the witness by the Secretary. The Secretary will read the question.

The Secretary read as follows:

Q. Have you read your testimony before the committee since it was given, or has it or any part of it been read to you since?

The WITNESS. No, sir.

Mr. Manager WEBB. Mr. President, in view of the last question asked by the Senator from Louisiana, I want to ask the witness one more question.

Q. (Mr. Manager WEBB.) Since you were here and testified before the Judiciary Committee last May have you talked with Judge Archbald in his home at Scranton?—A. In his home?

Q. In his home, in his office, or anywhere?—A. Yes.

Q. You have?—A. Oh, I talked to him.

Q. Have you talked to Judge Archbald since you testified before the Judiciary Committee?—A. Not anything about the case, sir.

Q. Have you talked with Judge Archbald since you testified before the Judiciary Committee?—A. Not anything about the case at all, sir.

The PRESIDENT pro tempore (to the witness). Answer the question.

The WITNESS. Don't I answer the question?

The PRESIDENT pro tempore. No.

The WITNESS. I have talked to him; but I never talked about the case.

Q. (By Mr. Manager WEBB.) Where did you talk to him?—A. I have talked to him on the street.

Q. Where else?—A. Why, I have talked to him in the Federal building, but not in his office.

Q. Where is the Federal building you speak of—in Scranton?—A. Scranton; yes.

Q. In the judge's room there?—A. No.

Q. Well, where were you in the Federal building when you and the judge talked?—A. I was out in the corridor.

Q. Anywhere else?—A. No.

Q. Did you ever talk to him in his home about it?—A. No; I never was in his home to talk to him about it.

Q. Did you ever talk to him anywhere else besides on the street and in the Federal building?—A. No, sir.

Q. What did you talk about then?—A. We talked about different things as he passed, but never talked about the case at all.

Q. You never even mentioned this case?—A. No; never mentioned the case; I never talked to him a word about the case, because he would not talk about the case.

Q. Why? How do you know he would not?—A. Because he did not want to. [Laughter in the galleries.]

The PRESIDENT pro tempore. Occupants of the galleries must refrain from any expression of approval or disapproval, merriment, or otherwise.

Q. (By Mr. Manager WEBB.) How do you know, Mr. Williams, that he did not want to talk about the case?—A. Because he never talked about the case.

Q. How do you know he did not want to talk about it? You said he would not, and did not want to.—A. He said he did not want to talk about the case.

Q. Did you begin, then, to talk with him about it?—A. What?

Q. Did you begin to talk with him about it?—A. No. He said, "Now, Williams, you know very well that we were told by the House not to talk anything about the case." I know that.

Q. Why did the judge admonish you in that way?—A. What?

Q. Why did the judge advise you in that style?—A. Well, he warned me not to talk about the case.

Q. Why? Had you begun to talk to him about it?—A. No, sir.

Q. Why should he volunteer that warning?—A. Because he did not want to talk about the case at all.

Q. Have you talked with Judge Archbald's attorneys about the case since you were here last May?—A. Judge Archbald's attorneys?

Q. Any of them; you know them.—A. Not that I know of.

Q. Well, now, think, please.—A. What?

Q. Do you know whether you have talked to any of Judge Archbald's attorneys about this case since last May?—A. Yes; I think I did.

Q. Did you see Mr. Price?—A. No; I seen Mr. Worthington.

Q. You saw Mr. Worthington?—A. Yes, sir.

Q. Did you talk with him about this case?—A. In Scranton; yes, sir; I did.

Q. Where were you?—A. I was in the Federal building, sir.

Q. Where was the judge?—A. The judge was there, but he never said a word.

Q. Oh, the judge was present and heard you and Mr. Worthington talk about this case?—A. Yes, sir.

Q. How many times did you talk to Mr. Worthington about the case?—A. That is the only time.

Q. How many times did Mr. Worthington go to Scranton since last April?—A. Only once I seen him; that is all.

Q. I ask you if Judge Archbald's counsel, Mr. Worthington, called your attention in the presence of the judge to any of your testimony?—A. What?

Q. I ask you if Col. Worthington, when he was in the Federal building in the judge's office and in the judge's presence, suggested to you that you had made a mistake or asked you to change, if you had made a mistake, any testimony that you had given before the Judiciary Committee?—A. I did not make any mistake, sir.

Q. You did not make any mistake?—A. No, sir.

Q. So whatever is written in your testimony before the Judiciary Committee is correct?—A. I guess so.

Q. But answer my question: Were you asked in the presence of the judge about changing your testimony or as to whether your testimony before the Judiciary Committee was correct or not?—A. What was your question? Ask me that question again, sir.

Q. I ask you if any one of the judge's lawyers in the Federal building in Scranton in the presence of the judge asked you about the testimony you had given before the Judiciary Committee and either suggested that you had made a mistake or that you should change some part of it because you had made a mistake?—A. I do not know.

Q. Was that question discussed by any of the judge's counsel before the judge in the Federal building at Scranton?—A. I do not know; I could not say that it was.

Q. Well, tell us, then, what was discussed in the presence of the judge by his counsel with reference to your testimony?—A. I do not remember exactly what it was.

Q. How long ago has it been?—A. Quite a while ago.

Q. Two or three months?—A. Yes; more than that.

Q. It has been since last May, you say?—A. Yes, sir.

Q. And you can not remember what happened two or three months ago?—A. I can not remember everything.

Q. Did you not think that was an unusual meeting, and, therefore, would you not charge your memory?—A. I met Mr. Worthington on the street at the courthouse, when he was going over, and talked to him, but I do not remember of the transaction, whether we talked over it, and I do not know that I ever changed anything in my evidence at all.

Q. Then I ask you if C. Worthington had a copy of your testimony before him when he examined you in the presence of the judge in the Federal building in Scranton?—A. Yes, sir.

Q. He did have a copy of your testimony?—A. I remember one thing. He asked me if I ever told the judge that I was going to sell the thing. "Well," I says to the judge, "Did I tell



you, judge? I do not know whether I told you or not." "Well," he said, "don't ask the judge," he says, "but you say so."

Q. Now, maybe you can remember something else that was said?—A. What is that?

Q. Maybe you can remember something else that was said. How long were you in the judge's presence with Mr. Worthington?—A. I do not know.

Q. Half an hour?—A. I could not tell you how long I was there. I might have been there an hour, and I might have been there half an hour; I do not remember how long.

Mr. Manager WEBB. That is all, Mr. President.

The PRESIDENT pro tempore. The witness is with the counsel for the respondent.

Cross-examination by Mr. WORTHINGTON:

Q. Mr. Williams, that conversation with me which you have just mentioned occurred in the latter part of last August, did it not?—A. I do not remember when it was, Mr. Worthington; I could not say.

Q. Do you remember that I talked to you on two different days—one day, and then the next day?—A. Yes, sir.

Q. And on the first day I asked you to bring certain papers you had referred to which you did not have with you?—A. Yes, sir.

Q. And you came the next day and brought them. Now, are you not mistaken in saying that Judge Archbald was present the first day?—A. I do not remember; but you remember very well when I asked the judge whether I told him or not about the sale of the property, you said to me "Don't ask the judge at all." You says, "You say so."

Q. Was not that the second day when you came back with the papers?—A. I am not sure.

Q. There were other people there, were there not, besides you and myself?—A. Yes, sir.

Q. Who were they?—A. Mr. Martin was there.

Q. Mr. Martin was there?—A. Mr. Price was there.

Q. And who else?—A. I can not say. The judge was there.

Q. Was not Mr. Robert W. Archbald, the judge's son there?—A. Yes. I guess he was.

Q. Was there not a stenographer there?—A. Yes, sir; a stenographer.

Q. On both occasions?—A. Yes, sir.

Q. Mr. Williams, have you had any business in the last 10 years; any regular business, I mean?—A. Have I had any business?

Q. Any regular business, I mean; any regular vocation?—A. Yes, sir.

Q. What is it?—A. Coal.

Q. Coal generally and not specifically?—A. Nothing else.

Q. Have you been known as Option Williams on account of your custom of dealing in options?—A. Boland is the author of that, you know.

Q. He gave you that title, did he?—A. Oh, yes.

Q. You have never repudiated it, have you?—A. No. I could get options when they could not touch them, sir.

Q. As to your relations with Judge Archbald prior to the time that you took to Capt. May this letter from Judge Archbald, did you ever have any business transactions of any kind with Judge Archbald?—A. No; I did not.

Q. That was the first business relation?—A. The first business; yes, sir.

Q. As to your other relations, had you up to that time ever been in his house?—A. No, sir.

Q. Have you ever been to his house since that time?—A. No, sir.

Q. Has he ever been in your house?—A. No, sir.

Q. Have you during the last few years had any office anywhere?—A. Not an office.

Q. You live, I believe, about 6 miles from Scranton?—A. I used to, but I live at Dunmore now.

Q. How far is that from Scranton?—A. That is about 2 miles away from the city.

Q. How long have you lived there?—A. I have been there now about three years; since my wife died.

Q. And before that, how many miles from Scranton did you live?—A. Six miles.

Q. You were in Scranton nearly every day, except—A. (Interrupting.) I lived there 42 years.

Q. While you lived in these places you were in Scranton nearly every day, were you not?—A. Every day.

Q. Every day, except Sundays?—A. Every day, except Sundays; yes, sir.

Q. Where did you stay; where were your headquarters, if you had no office?—A. Any office where I had any business, sir.

Q. Did you have no particular place where you went regularly when you had no special object in view?—A. I was dealing with the Bolands, and they owe me money to-day, and I always went there to try to get some of that money, sir. [Laughter in the galleries.]

The PRESIDENT pro tempore. Counsel will suspend. The Chair desires to say to the occupants of the galleries that absolute silence must be preserved, and if necessary measures will be taken to accomplish that end. Occupants of the galleries must not audibly interrupt the proceedings in this Chamber.

Q. (By Mr. WORTHINGTON.) Is it not a fact that you spent your time, when you were not doing business anywhere else, in the office of W. P. Boland?—A. I spent a good deal of my time there.

Q. You spent more time at the office of W. P. Boland during the last few years than you did anywhere else, by a great deal, did you not?—A. Yes; I did.

Q. What office is that? Is it the office of William P. Boland or the office of the Marian Coal Co., or what?—A. Office of the Marian Coal Co.; yes.

Q. Did Mr. Christopher G. Boland, a brother of Mr. W. P. Boland, have an office there, too?—A. Right next to it.

Q. So you have been in the habit of seeing both of them practically every day for years, except Sunday?—A. Yes, sir.

Q. You first gave testimony in this matter, I think, Mr. Williams, before Mr. Wrisley Brown, in Scranton, in March last?—A. I did, on a Sunday morning, sir—what I would never do again on Sunday.

Q. I am glad to know you have reformed. Who was present when Mr. Brown took your testimony?—A. William P. Boland and Wrisley Brown.

Q. William P. Boland was there all the time, was he not?—A. William P. Boland was the man who asked all the questions.

Q. I was going to ask you whether he did not conduct the examination largely?—A. Yes; he conducted the inquiry.

Q. And the next time you testified about this matter was in the office of the Attorney General, was it not?—A. Yes—no—

Q. On the 12th of February last?—A. Yes. Oh, no; that was before.

Q. The first time was in the Attorney General's office.—A. Yes, sir.

Q. Who was present when you were examined there?—A. There was nobody there but a stenographer and Wrisley Brown and William P. Boland.

Q. Are you not mistaken in saying that Wrisley Brown was in the Attorney General's office when you were examined? He was not there when you were examined?—A. No, sir; he was not there.

Q. Mr. William P. Boland was there.—A. Yes, sir.

Q. Was not Mr. Christopher G. Boland there?—A. Yes, sir.

Q. And Mr. Cochran, of the Interstate Commerce Commission?—A. Yes, sir.

Q. And William P. Boland there suggested questions to you, did he not?—A. He did.

Q. And the next time you were examined was before the Judiciary Committee, several months ago, I believe?—A. Yes, sir.

Q. Do you remember that when your examination took place there Mr. William P. Boland came and took his seat at the witness table right at your side and stayed there some time, until a member of the committee suggested that was the witness table and then he went back?—A. Yes, sir.

Q. I understand you to say, Mr. Williams, when this letter of March 31 from Judge Archbald to Capt. May was shown to you, that that was not the letter you took to Capt. May. Where were you when Judge Archbald gave you the letter to Capt. May?—A. In his office in the Federal building.

Q. Did he dictate it to a stenographer?—A. I do not know.

Q. Did he not go out and have the letter prepared?—A. Yes, sir; I never saw the letter, because I never opened the letter.

Q. Exactly.—A. I could not swear to the letter to-day, because I took it as it was.

Q. Did Capt. May show you the letter?—A. No, sir.

Q. You never saw it?—A. No, sir.

Q. Then, how do you know what was in it?—A. I did not know.

Q. You said yesterday that it simply recommended you as a person.—A. That is all I expected it to do.

Q. Then, how do you know that this is not the letter?—A. Well, I do not know whether it is the letter. I could not swear to that letter.

Q. Did you take a letter about the Katydid dump from Judge Archbald to Capt. May more than once?—A. Only once.

Q. You took only one letter?—A. Only one letter.

Q. Then, if you took this letter of March 31 this must be it.—  
A. Well, I do not know; I guess so.

Q. How did you happen to ask Judge Archbald to give you a letter to Capt. May?—A. If I can remember aright, it was William P. Boland that told me to ask Judge Archbald for a letter.

Q. Well, is not that the truth?—A. What?

Q. Is that not the truth about it?—A. That is the truth about it.

Q. Before that had you not had some negotiations with William P. Boland about this Katydid dump?—A. I did. He had told me about it before that; but he could not touch it with a 10-foot pole.

Q. Did you not sign a writing giving him an interest in it?—  
A. I did, but when I went there to Mr. Robertson, he told me: "If you have anything to do with William P. Boland, you can not get it."

Q. I am coming to that.—A. (Interrupting.) I had to deny him any interest at all.

Q. Did you not sign a paper giving—A. (Interrupting.) I did sign a paper.

Q. Let me finish my question.—A. And then I cut him out.

Q. If you will let me finish my question, Mr. Williams, we will get along a little faster.—A. All right.

Q. Did you not sign a paper giving William P. Boland an interest in this projected Katydid dump transaction?—A. I did.

Q. One moment. [Continuing.] Before you went to Judge Archbald about the matter at all?—A. He would not tell me what dump it was until I would sign it, and when I signed it I went over to Robertson, and Robertson told me, "If you have anything to do with William P. Boland, I will not have anything to do with you at all."

Q. I want to talk about what happened before you went to Capt. May with this letter?—A. Yes, sir.

Q. Had you not signed an agreement giving William P. Boland an interest in the proposed venture before you saw Judge Archbald and got the letter to Capt. May?—A. Yes, sir; but I cut him out.

Q. One moment. And after you had signed that paper, then he suggested that you go to Judge Archbald and get a letter to Capt. May, did he not?—A. What is that?

Q. After you had signed this paper giving Mr. William P. Boland an interest in the transaction, at William P. Boland's suggestion you went to Judge Archbald and got the letter to Capt. May?—A. That is right; yes.

Q. That is right, is it not?—A. Yes, sir.

Q. After you had failed to get the option agreement from Capt. May did not William P. Boland suggest to you to go to Judge Archbald and get him to go to the Erie officials over Capt. May's head?—A. No; he recommended me, or he tried to induce me, to go to Judge Archbald and get a letter from him.

Q. To whom?—A. To the Erie.

Q. To the Erie officials?—A. To Capt. May.

Q. I understand that, but after you had been to Capt. May and had not got the option, did not William P. Boland, when you reported that fact to him, ask you to go to the judge again and ask him to go see the Erie officials over Capt. May's head?—  
A. No.

Q. You say that did not happen?—A. No; he did not say that.

Q. You are quite clear he did not say that in William P. Boland's office?—A. No; he did not. I do not want to blame any man for what is not right. He did not tell me that.

Q. We have here the Robertson option, so-called, which has been put in evidence and proved that it is in the handwriting of Judge Archbald, and the signature admitted to be that of Robertson.—A. Yes, sir.

Q. And your signature at the foot of it?—A. I guess it is.

Q. You will see that has an acknowledgment to it [exhibiting paper to witness]. The paper itself is dated September 4, 1911, and the acknowledgment is dated September 12, 1911. It is recorded in the proper land office up there on the 13th of September, 1911. Do you know how that happened to be acknowledged and recorded?—A. Yes; I remember about it.

Q. You remember about that. Well, tell the Senate about it, please. Just tell us about it—how it came to be recorded.—A. It was William P. Boland who went and took it and put it on record.

Q. Did Judge Archbald or Mr. Robertson state anything about having it recorded?—A. No.

Q. Had you?—A. It was him that took it.

Q. William P. Boland?—A. William P. Boland.

Q. Had you said anything about having it recorded before that?—A. I had not.

Q. Now, about the dealings with Mr. Conn. Do you know how it happened that Judge Archbald got into communication with

Mr. Conn as a purchaser for his little railroad up there for this coal dump?

The WITNESS. How he got into communication?

Mr. WORTHINGTON. Yes; who suggested it to him?

A. I did not suggest it to him.

Q. Did not William P. Boland tell you that Conn was a probable purchaser, and to go and see Judge Archbald and to get a letter to Conn?—A. Yes, sir; he did.

Q. Then you got this letter on the 30th of September, which is in evidence here, and took it to Conn?—A. Yes, sir.

Q. Did you not first go to Boland's office with it?

The WITNESS. With what?

Mr. WORTHINGTON. That letter to Conn. Did you not receive that letter from Judge Archbald to take it to Conn, and instead of taking it to Conn did you not take it to the office of William P. Boland and show it to him?—A. I do not think I ever took the letter from Judge Archbald to Conn. I think it was sent some other way; not by me.

Q. I will ask whether before the Judiciary Committee, referring to page 507 of the testimony before that committee—A. I do not remember that I took it there.

Q. Referring to the top of page 507, I will ask you whether this happened with respect to this very letter:

Mr. CARLIN—

A member of the Judiciary Committee—

We have a photographed letter here that has just been shown you—a letter of introduction to Mr. Conn.

Mr. WILLIAMS. Yes, sir.

Mr. CARLIN. Did you show that letter to anybody?

Mr. WILLIAMS. The contract with Conn, you mean?

Mr. CARLIN. I mean the letter introducing you to Mr. Conn, recommending you to Mr. Conn.

Mr. WILLIAMS. Did I show it?

Mr. CARLIN. Yes.

Mr. WILLIAMS. I do not remember whether I did or not.

Mr. Williams, if there was a photographic copy of that letter to Mr. Conn made, can you explain how it was made? Did you make it?

A. No, sir; I could not explain.

Q. You thought the title to this dump was all right, you said?

The WITNESS. What is that?

Q. You said you thought the title to the dump was all right?—A. It is all right to-day. It is just as much all right to-day as it ever will be.

Q. Mr. Conn's lawyers did not agree with you?—A. No, sir.

Q. They are Messrs. Wells & Torrey, an eminent law firm in Scranton, is it not?—A. Yes. It is not Torrey, but it is Wells.

Q. Wells, the senior member of the firm. After you came down here and appeared before the Attorney General in February last, there was another effort made to get Conn to take the property—the dump?—A. That was by myself. That was the last.

Q. That is the letter of March 13, Exhibit 4 in this case?—  
A. Yes, sir.

Q. That [exhibiting] is the letter you refer to, is it not?—A. I do not know.

Q. Look at it, please. I should like you to be sure.—A. (Examining paper.) Yes.

Q. That is right? That letter was prepared in the office of Mr. Boland?—A. Yes, sir.

Q. And Mr. Boland helped to put the words in it—dictated them?—A. Yes, sir; he did.

Q. He dictated it to the stenographer, his niece, Miss Boland?—A. Yes, sir.

Q. Then you signed it?—A. I took it over myself.

Q. Mr. Boland told you to hurry?—A. Yes, sir.

Q. Did he tell you why he wanted to have you hurry?—A. Because this suit was coming on—

Q. And he wanted to get the sale through before the storm came. He used that language or that in substance?—A. He did.

Q. You helped him to do that without telling Judge Archbald what was going on?—A. No, sir; I did not tell Judge Archbald.

Q. By the way, this letter of March 13 seems to have had a part of it cut off. Can you tell me whether you saw that done?—A. Oh, they always did that.

Q. Who always does it?—A. Mary, the stenographer.

Q. Did you see her cut the top off of this?—A. I did not notice it; no, sir.

Q. Did you not say before the Judiciary Committee that you did see her cut it off?—A. I have seen her cut it off at different times.

Q. You took that letter to Mr. Conn, and Mr. Conn still refused to buy because he did not think, or because his lawyer did not think, the title was good?—A. He could not recommend it because the lawyer would not recommend it.



Q. Exactly. Then right away Mr. Boland helped you get up the sale to Mr. Bradley for \$20,000?—A. I had done that myself before Mr. Boland ever—

Q. You say it was done before Mr. Conn refused to take it the last time?—A. Yes, sir. I could have sold, but I would rather sell it to Mr. Conn, because there was more money in it, than to sell it to Bradley.

Q. Was not the arrangement to sell to Bradley made in William P. Boland's office?—A. No, sir.

Q. You say it was not?—A. No, no. I had agreed with Mr. Bradley myself, outside of anybody else in the world, to sell it to him for \$20,000.

Q. Did not Mr. Boland urge you to hurry up this Bradley sale?—A. Yes; he did. That is true enough.

Q. And so you went on hurrying up a sale—that is, trying to get Conn to buy—and when he would not, to get Bradley to buy it, and arranging a sale to Bradley without saying a word to Judge Archbald?—A. Yes, sir; but I did not mean to cheat Judge Archbald.

Mr. WORTHINGTON. I do not mean to intimate that.

A. No, sir. I am not doing that kind of work.

Q. Another thing, to make certain of this March 31 letter. The first time you saw Capt. May about this Katydid dump business was when you took that letter from Judge Archbald. You had not had any talk with Capt. May about the Katydid dump until you went to him with that letter from Judge Archbald?—A. I do not think I had any talk with him at all.

Q. What arrangement did you have with Judge Archbald about what his interest in this dump should be and what your interest should be when you went to Capt. May with that letter on the 31st of March?—A. I never had any particular arrangement with Judge Archbald.

Q. You went and asked him for this letter and got it?—A. Yes, sir.

Q. And after the letter you entered into the negotiations without saying a word to Judge Archbald as to whether he was to have an interest or not?—A. I said he was to have an interest. I did not say how much or what he was to get.

Q. You never had any writing with him on the subject?—A. No, sir; only my word of mouth. That is all he had.

Q. Very well. Did Judge Archbald ever at any time tell you that his name was to be concealed or kept out of the Katydid transaction?—A. He never told me.

Q. Did he ever intimate or suggest such a thing to you?—A. No, sir.

Q. Did you ever tell him that it was contemplated to keep his name out?—A. No, sir.

Q. Or to execute any paper and refer to him as a silent party?—A. No, sir. I considered that he knew more about that than I did, and for that reason I would leave that to him.

Q. I want to come down to what you were saying a few moments ago. You say when you went to Robertson he told you that William P. Boland must not have anything to do with it?—A. Nothing to do with it at all.

Q. Or the sale would not go through?—A. Yes, sir.

Q. Or he would not sell his interest?—A. Yes, sir.

Q. Did he tell you why?—A. No, sir.

Q. He gave no reason?—A. He gave no reason; no, sir.

Q. Did he tell you that before he would sign the agreement with Judge Archbald agreeing to sell his interest for \$3,500—the paper which I have just shown you, which Boland had recorded?—A. I do not understand your question.

Q. No doubt it is my fault. I refer to this paper [exhibiting], Exhibit No. 2 in this case—the Robertson agreement—which is in Judge Archbald's handwriting. You say that you and Robertson signed it, and then you say it was recorded a few days afterward by Boland?—A. Yes, sir.

Q. I want to know whether Robertson told you, before that paper was signed, that William P. Boland must have no interest in the property?—A. Yes, sir; particularly.

Q. That is dated the 4th of September. I want to ask you if that is so, why it was that on the next day, the 5th of September, you signed a paper assigning two-thirds interest in this transaction to William P. Boland?—A. I never did.

Q. You never did?—A. No, sir.

Q. This paper which we have referred to in these proceedings as the "silent-party" paper was dated the 5th of September, and says:

For services rendered or to be rendered in the future by William P. Boland and silent party, whose name for the present is only known to Edward J. Williams, W. P. Boland, John M. Robertson, and Capt. W. A. May, superintendent of the Hillside Coal & Iron Co., it is agreed by said Edward J. Williams, who is the owner of two options covering a culm bank known as the Katydid, situate in the vicinity of Moosic, Pa., that he hereby assigns two-thirds of any profits arising from the sale of the above-mentioned property over and above the amounts to be

paid John M. Robertson and the Hillside Coal & Iron Co., \$3,500 and \$4,500, respectively, to be divided equally between William P. Boland and silent party mentioned above.

A. I never did, sir.

Q. After Robertson had told you that William P. Boland must not have anything to do with the matter, did you tell him?—A. I told him, and he says to me, "Well, I quit; I am out."

Q. Was that before or after the Robertson paper was signed?—A. It was right after Robertson told me.

Q. Right afterwards?—A. Right after Robertson said it. He says, "All right, I am out; I quit." Why should I sign anything to him? I never signed it.

Q. About this "silent-party" paper; did you receive any copy of it?—A. No, sir.

Q. This appears to have come from the possession of the managers.—A. I got two copies here, but they were never signed.

Q. Did you not swear before the Judiciary Committee that you never received any copy of the paper?—A. There are two copies. There is another one here, but I never signed any of them.

Q. Did you not swear before the Judiciary Committee—A. Did he not swear that there were three copies? Is it not in the book there that three copies were signed?

Q. We will find that in a moment. When you were testifying before the Judiciary Committee where were these copies?—A. They were in my pocket then, and I did not know they were in my pocket when I was here before.

Q. You did not know how they got there?—A. When I went to look at my pocket when I got home I found those copies.

Q. In your pocket?—A. Yes, sir.

Q. When I talked with you the first day, last August—A. I showed you it, did not I?

Q. You said you had such papers, but they were at your home, did you not?—A. No; they were right in this pocket then.

Q. Did you not tell me that they were at your house; and did I not ask you to bring them down the next day?—A. No; they were in the same pocket. It may not be the same coat, all right.

Mr. WORTHINGTON. Mr. Managers, I propose to add these exhibits to the contribution which you have made. [After a pause.] The managers have no objection to these papers going into the evidence. I will not undertake to read them, because the wording is the same as in the original paper itself. They have a line for the signature and the word "seal" in typewriting after that line.

The PRESIDENT pro tempore. Does the counsel propose to introduce them now or prove them?

Mr. WORTHINGTON. I would like to introduce them now. I know sometimes it is said that exhibits for the defense or the respondent should be put in when the time comes to put in evidence. I find always that it is very much more convenient for the court and everybody else to put them in as we go along.

Mr. Manager CLAYTON. I hope they will be printed in the RECORD right at this point.

The PRESIDENT pro tempore. There is no objection, the Chair understands.

Mr. WORTHINGTON. All right. Then I offer them, and they are in evidence.

The matter referred to is as follows:

[U. S. S. Exhibit A.]

Assignment made this 5th day of September, A. D. 1911, by Edward J. Williams, of the borough of Dunmore, County of Lackawanna and State of Pennsylvania, party of the first part, to William P. Boland and a silent party, both of the city of Scranton, county and State above mentioned, parties of the second part. For services rendered or to be rendered in the future by William P. Boland and silent party, whose name for the present is only known to Edward J. Williams, W. P. Boland, John M. Robertson, and Captain W. A. May, Sup't., of the Hillside Coal & Iron Company, it is agreed by said Edward J. Williams who is the owner of two options covering a Culm Bank known as the "Katydid," situate in the vicinity of Moosic, Pa., that he hereby assigns two-thirds of any profits arising from the sale of the above-mentioned property over and above the amounts to be paid John M. Robertson and the Hillside Coal & Iron Company, \$3,500 and \$4,500 respectively, to be divided equally between William P. Boland and silent party mentioned above, their heirs, successors or assigns, and this shall be their voucher for same.

[U. S. S. Exhibit B.]

Assignment made this 5th day of September, A. D. 1911, by Edward J. Williams, of the borough of Dunmore, County of Lackawanna and State of Pennsylvania, party of the first part, to William P. Boland and a silent party, both of the city of Scranton, county and State above mentioned, parties of the second part. For services rendered or to be rendered in the future by William P. Boland and silent party, whose name for the present is only known to Edward J. Williams, W. P. Boland, John M. Robertson, and Capt. W. A. May, Sup't., of the Hillside Coal & Iron Company, it is agreed by said Edward J. Williams who is the owner of two options covering a Culm Bank known as the "Katydid," situate in the vicinity of Moosic, Pa., that he hereby assigns two-thirds of any profits arising from the sale of the above-

mentioned property over and above the amounts to be paid John M. Robertson and the Hillside Coal & Iron Company, \$8,500 and \$4,500 respectively, to be divided equally between William P. Boland and silent party mentioned above, their heirs, successors or assigns, and this shall be their voucher for same.

[SEAL.]

Q. (By Mr. WORTHINGTON.) Did you ever get any authority from Judge Archbald to sell any part of his interest in the Katydid dump—any part of the contract—to anyone else?—A. No, sir.

Q. Did you ever tell him that you had assigned an interest to William P. Boland?—A. No, sir.

Q. I should like to know, Mr. Williams, in your own way, what is the truth about whether you did or did not say anything to Judge Archbald about this "silent-party" paper?—A. I do not know nothing about it.

Q. Did you not swear before the Judiciary Committee several times that you never executed that paper and did not know anything about it?—A. I did not know anything about it, and I do not know anything about it to-day, sir.

Q. Did you not several times swear, as you have sworn here, that you put Judge Archbald in that paper as a silent party because you did not think it was lawful for him to be in the transaction?—A. I did not. I always said I did not know anything about that paper. The signature was wrote across the typewriting on the paper, and I never signed that. I never did sign it.

Q. Do you say now that, as a matter of fact, you never told Judge Archbald that you had referred to him as a silent party or never told him such a thing was contemplated?—A. No, sir.

Q. Do you mean that you did not tell him any such thing?—A. You can ask him now, if you want to.

Q. But for the present I have to confine my questions to you, Mr. Williams. Did you ever tell him?—A. No, sir.

Q. Or intimate to him?—A. No, sir; I did not.

Q. That such a thing was done or contemplated?—A. I did not.

Q. Or did he ever intimate or suggest to you that he desired his connection in that matter to be concealed from anybody?—A. No, sir; he did not.

Q. At one time I believe it was supposed that the contract with Conn was going to be executed, was it not?—A. Yes; I thought it was going through all right.

Q. Did not Judge Archbald prepare a contract and submit it to Mr. Conn?—A. Yes, sir; he did.

Q. Did you see that contract?—A. Yes, sir; I did see it.

Q. Did you read it?—A. No; I did not read it. I seen it.

Q. Did you look at it at all so as to see whether Judge Archbald's name was mentioned in it?—A. Judge Archbald's name was in it.

Q. How do you know?—A. He read it to me.

Q. He read it to you?—A. Yes, sir.

Q. You can not identify the paper, then?—A. No, sir.

Q. Now, Mr. Williams, about another matter. You took this letter from Judge Archbald to Capt. May and did not get any agreement from Capt. May about the option?—A. No, sir.

Q. How soon did you go back to Judge Archbald and report that result?—A. I could not say.

Q. Was it the same day?—A. Whether I went in two days or the next day, or when, I do not remember.

Q. Where was this letter delivered to you?—A. It was two years ago.

Q. This letter was given to you in the Federal building to be taken to Capt. May?—A. Yes, sir.

Q. Where was Capt. May when you delivered it to him?—A. In the office of the Erie Co.

Q. How far away was that from Judge Archbald's office in the Federal building?—A. About 2 miles away.

Q. Had you not said several times that you right away went to Judge Archbald and told him about what Capt. May had said?—A. Now, I could not say. I guess I did go as soon as possible.

Q. From a distance of 2 miles?—A. Yes, sir.

Q. When you got back to Judge Archbald's office you saw on his desk this trial list, you say, on which was the word "lighterage." Is that right?—A. Yes, sir.

Q. And you picked up that paper and asked Judge Archbald what lighterage meant?—A. Yes, sir; I did.

Q. Was that the way that came about?—A. That is a fact, sir.

Q. Have you ever seen that paper since?—A. I never seen it since; no, sir.

Q. Was this trial list one on which there were a number of cases?—A. Oh, lots of cases.

Q. The cases numbered?—A. Oh, there was lots of cases. I looked through it, all over the list.

Q. In what court was it?—A. I do not know. I could not say what court it was.

Q. You do not know whether it was a trial list of the Commerce Court or Interstate Commerce Commission?—A. I could not say. I could not swear to that.

Q. Or the district court of the United States for the middle district of Pennsylvania?—A. I could not say.

Q. You can not say?—A. No, sir. If I would swear I could not swear what court it was.

Q. In order to be clear about this I will ask you whether, when you were giving your deposition to Mr. Wisley Brown in Scranton, page 228, you did not say that after delivering that letter to Capt. May you "went to the judge right away"? "Yes; I went to the judge right away."—A. Well, that might be; I do not remember.

Q. You do not remember whether you said that or not?—A. No; I do not remember. That is pretty near two years ago.

Q. But you were testifying very shortly after the occurrence. It was only in April.—A. I do not remember.

Q. It was the year afterwards. I do not want to misrepresent it.—A. You know this, Mr. Worthington, that when that testimony was taken it was in a hurry on a Sunday morning, and they would run over it in a hurry, there were so many questions asked. I was there about four or five hours.

Q. Then I will ask you whether, when testifying before the Judiciary Committee, page 511, you did not say this in reference to that. When the question was asked you by Mr. STERLING of the committee, "Was it the next day after you had seen May that you went back to the judge," your answer was, "Yes, sir"; do you remember that?—A. I do not.

Q. Can you be clear about this matter at all, Mr. Williams? After you had taken this letter to him and he did not give you an agreement or agree to sell, did you go to sleep on it and do nothing or were you active about it?—A. I went to see the judge that day or the next day.

Q. Then you saw this trial list with the lighterage case on it?—A. Yes, sir; that is the time.

Q. Then you had the conversation with the judge which you have narrated as well as you remember about what that case was?—A. Yes, sir.

Q. He explained to you the matter?—A. I did not know in the world what lighterage meant, and I asked him the question.

Q. To make sure what the case was, tell us again what the judge said the lighterage business was.—A. He said it was those little tugboats that carried railroad cars across the river there.

Q. To get some idea as to how correct you are about dates, I should like to ask you what is your recollection as to how long it was after you first went to Capt. May about this business until he gave you the option, as it is called here?—A. I could not say whether it was a week or a month. I could not say, sir. I could not be sure.

Q. You think it was somewhere in the neighborhood of a week or a month?—A. Yes, sir.

Q. If, as a matter of fact, the first letter to Capt. May was March 31 and the option was August 30, how do you account for being so far out on your dates?—A. I could not remember how long it was.

Q. I will ask you, Mr. Williams, whether, as a matter of fact, this talk with Judge Archbald about the lighterage case was not long after he had been to see Mr. Brownell and after Capt. May had given the option?—A. No; I think that was before he went to see Brownell, if I remember.

Q. I will ask you whether or not on the 28th day of September, 1911, in the office of William P. Boland, you did not say, in substance, that you were "going to the judge's office to look at a brief which the judge was preparing for the Erie Railroad Co."?—A. No, sir.

Q. Nothing of that kind happened?—A. No, sir; I did not see about a brief. I do not know what a brief is. I do not know the difference between a brief and something else.

Q. No such conversation occurred, then?—A. No, sir.

Q. I will ask you whether you did not call later in the day to see William P. Boland, and tell Miss Mary F. Boland, or somebody in her presence, that you had seen the brief "and it was about a case against the Erie Railroad Co. for a lighterage charge"?—A. No, sir; I never told him.

Q. Nothing of that kind happened?—A. No, sir.

Q. Away down in September, after the option had been given by Capt. May?—A. No, sir; nothing of the kind at all.

Mr. WORTHINGTON. Mr. President, we would be very glad if the Senate would take a recess for about 10 minutes in order that I may confer with my associates about some other matters. I think we will save time by it.



The PRESIDENT pro tempore. If there be no objection, it will be so ordered. The court will stand in recess for 10 minutes, until 5 minutes before 4 o'clock, it being now 15 minutes before 4.

The Senate sitting as a Court of Impeachment thereupon took a recess for 10 minutes and reassembled at 3 o'clock and 55 minutes p. m.

Mr. GALLINGER. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Senator from New Hampshire suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Cullom	Martin, Va.	Root
Bacon	Curtis	Martine, N. J.	Shively
Bailey	Poster	Massey	Smith, Ariz.
Borah	Gallinger	Myers	Smith, Ga.
Brandegee	Gardner	Nelson	Smith, Md.
Bristow	Gore	Newlands	Smith, S. C.
Brown	Hitchcock	Oliver	Smoot
Bryan	Johnston, Ala.	Overman	Sutherland
Burnham	Kenyon	Page	Thornton
Burton	La Follette	Perkins	Townsend
Clapp	Lea	Perky	Warren
Clark, Wyo.	Lodge	Pomerene	Works
Culberson	McLean	Richardson	

The PRESIDENT pro tempore. On the call of the roll of the Senate 51 Senators have responded to their names, and a quorum of the Senate is present.

CROSS-EXAMINATION OF E. J. WILLIAMS—CONTINUED.

Q. (By Mr. WORTHINGTON.) Mr. Williams, you said yesterday that you had good reason to know that the Bolands owned a large amount of the stock of the Marian Coal Co. What did you mean by that?—A. How is that?

Q. You said yesterday that you had good reason to know that the Bolands own most of the stock of the Marian Coal Co.—A. Yes, sir.

Q. What did you mean by that?—A. Because I had to sell out to them, sir. I was squeezed out of it, sir.

Q. You said something about their owing you money.—A. They owe me \$1,300 and \$1,100.

Mr. Manager WEBB. We think the question and answer are immaterial. Whether the Bolands owe him money or whether he owes the Bolands money we do not think has anything to do with the conduct of Judge Archbald.

Mr. WORTHINGTON. I think that what has been brought out, Mr. President, sufficiently shows that the relations between this witness and the Bolands are quite important.

The PRESIDENT pro tempore. The counsel will propound the question.

Q. (By Mr. WORTHINGTON.) The question is whether the Bolands are indebted to you, and, if so, why—I mean William P. Boland and Christopher G. Boland, or either of them?—A. Christopher G. Boland owes me money.

Q. Can you tell us briefly what is that about?—A. Why, that is part payment. They paid a part of the agreement that they had to sell out.

Q. To sell out what?—A. The Marian coal lease—the culm lease.

Q. Does Christopher G. Boland recognize that indebtedness to you or does he dispute it?—A. Yes; he does, of course.

Q. He does?—A. Yes, sir.

Q. Why does he not pay you?—A. Well, because they claim it was to be paid out of the dividends, but they claim that there was no dividends yet until they get this money. Now, if they will ever get it from the D. L. & W. for overcharges, for reduction of rates—

Q. Well, what has that got to do with your going to them with this \$500 note? I think you gave that as a reason why you went to them.—A. Oh, that has nothing to do with my going to them about that \$500 note.

Q. I thought you said something to that effect yesterday?—A. Oh, no; I was always friendly with them.

Q. Well, they owe you money and they recognize that they owe you money?—A. Yes, sir.

Q. And you expect to get it from them in the future?—A. Yes, sir.

Q. Have they said anything as to when you may expect to get that money?—A. How is that?

Q. Have they said anything to you as to when you may expect to get that money?—A. As soon as they get money out of it, and if they get this \$50,000 from the D. L. & W., why that is money, is it not, and they are able to pay me then.

Q. Well, I do not care anything more about that. Mr. Williams, did you suggest to Judge Archbald in reference to the papers, or some of the papers connected with this Katydid

transaction, that he should have one of his sons sign the papers and not sign them himself; and did he not say that he proposed to sign the papers himself and not have his son sign them?—A. No; he did not.

Q. Nothing of that kind happened?—A. No, sir.

Q. I want to ask you whether, on or about January 16, 1912, in the office of Mr. W. P. Boland, in Scranton, Pa., you said, in substance, that Mr. Archbald told you it would be better for him to sign the papers in this deal, that you agreed with him, but that you later told the judge that it would be better for his son to sign the papers, and you said the judge intended signing them, and you could not prevent his doing it?—A. No, sir.

Q. Nothing of that kind was said by you?—A. I never told the judge that, or the judge never told me that.

Q. Now, about this visit you made to the judge just before you came down to testify before the Judiciary Committee. A subpoena was served upon you, I understand. On what day of the week was it served?—A. I don't remember.

Q. You were required to appear on what day of the week; do you remember?—A. I don't remember.

Q. Anyhow, you went to the judge and told him you had been subpoenaed and had not the money to pay your fare, did you not?—A. I did.

Q. You went to his office in the Federal Building?—A. I told him so.

Q. And you asked him to lend you the money so that you could come down here?—A. Yes.

Q. You told him you were going to testify or had been subpoenaed before the Judiciary Committee in his matter, did you not?—A. Yes, sir.

Q. Did he not say that he would not give you any money, but that he was going on the train somewhere the next day, and that if you would meet him at the station at that time he would give you a ticket to Washington?—A. That is all; yes, sir.

Q. And you did meet him there?—A. I did meet him at the Delaware, Lackawanna and Western depot, sir.

Q. And he went around to the window and bought that ticket and handed it to you right there?—A. He did.

Q. In the presence of a number of people who were in the room?—A. All that was around there at the time.

Q. And you say that he told you to come down here and tell the truth?—A. He told me to tell the truth and never mind the consequences. He said, "Tell the truth."

Q. You said twice, as I understood you, that this Bradley deal was stopped because this investigation was coming on, or this lawsuit, you said once. You mean the investigation which has resulted in this trial, do you not?—A. Yes, sir.

Q. Now, what do you know about that? I want to know whether you have personal knowledge about that or whether you are giving what you have heard rumored on the street or somewhere else. What do you know about why Capt. May recalled the contract which he had submitted to Mr. Bradley?—A. What do I know? I know that I asked the deed back from Bradley that he had had sent to him to see whether he would accept the deed under the conditions.

Q. I understand you. The contract was sent by Capt. May to Mr. Bradley to see if it was satisfactory to him?—A. Yes, sir.

Q. And the next day, or very soon, Capt. May recalled the contract and said it could not be executed. That is so?—A. Yes.

Q. But you say that that was done because this investigation was coming on. I want to know what the source of your information on that subject is.—A. That is all I got.

Q. Who told you that? Who told you that Capt. May recalled it?—A. Mr. Bradley told me.

Q. Who?—A. Mr. Bradley told me.

Q. Mr. Bradley told you?—A. Mr. Bradley.

Q. He told you that Capt. May had recalled the deed?—A. Yes, sir.

Q. Did Mr. Bradley undertake to tell you why he recalled it?—A. No; he did not.

Q. Did he tell you?—A. That Capt. May wanted it back.

Q. Did he not tell you that Capt. May had told him that there had been letters written making claims against the mine on behalf of the Everhart heirs, and that his counsel had advised him that under the circumstances it would not do to go on with the contract?—A. I guess he did; yes, sir.

Q. Where did you get this idea into your head that it was because of this investigation that Capt. May recalled the contract?—A. Well, I got that from other sources; not from Capt. May.

Q. You did not get it from Capt. May or from Mr. Bradley?—A. No, sir.

Q. Now, is it not a fact that the day you went to Judge Archbald's office in the Federal building, just before you came down here to testify before the Judiciary Committee, that \$500 Jones note had to be renewed?—A. I do not know.

Q. If that was so, you have forgotten it, have you?—A. Yes, sir.

Q. But did you not go there to meet Jones and the judge for that purpose?—A. I do not remember.

Q. You do not remember?—A. No, sir.

Q. About this letter to Mr. Darling that is in evidence. You took that letter to Mr. Darling, and he told you that that dump had been sold or leased or something of that kind?—A. The dump had been leased to Peale, Peacock & Kerr.

Q. That was the end of it?—A. Yes, sir.

Q. You took the judge's letter to him?—A. That settled that deal.

Q. Very well. I should like to know how you came to go to Mr. Darling. Who suggested to you to go to Judge Archbald and get a letter to Mr. Darling?—A. It was William P. Boland who told me about it, but he did not know that Peale had leased it already.

Q. Who was it suggested to you to take Mr. Dainty to Judge Archbald and to try to get Judge Archbald to help him about the selling of the outstanding Everhart interest to the Lehigh Valley?—A. I do not think anybody suggested that to me.

Q. Did not William P. Boland suggest it?—A. No; I could not say that.

Q. You could not say that?—A. No, sir.

Mr. WORTHINGTON. That is all, Mr. President.

Redirect examination by Mr. Manager WEBB:

Q. Mr. Williams, did you tell Mr. Worthington a few minutes ago that in the examination before Wrisley Brown, in Scranton, William P. Boland asked most of the questions?—A. Yes, sir.

Q. You say that now?—A. I say that now; yes, sir.

Mr. Manager WEBB. Mr. President, at this point we offer the deposition of E. J. Williams, taken on the 23d day of March, 1912, in Scranton, with reference to this matter.

Q. (By Mr. Manager WEBB.) Mr. Williams, did you sign this statement?—A. Oh, I might have signed it, but I did not know what was in it; it was not read to me at that time.

Q. Answer the first question. Did you sign it?—A. I signed it; yes, sir; but I did not know what was in it altogether.

Mr. WORTHINGTON. Mr. President, if that paper is offered solely for the purpose of showing what proportion of questions were propounded to Mr. Williams by Mr. Boland, and how many were propounded by Mr. Brown, we have no objection; but if it is offered in evidence to make what this witness said there in that ex parte investigation evidence against Judge Archbald we do object to it.

Q. (By Mr. Manager WEBB.) Mr. Williams, I ask you again if this statement was not read over to you by Mr. Brown, who asked you if you wanted to make any change in your testimony.—A. No. We were in such a hurry, sir, to get out from there after being there four or five hours. I wanted to get some time to get dinner. It was about, I think, 2 o'clock, and I got there in the morning.

Mr. Manager WEBB. Mr. President, we think it is competent to show that these questions were all asked by Mr. Wrisley Brown and the responses thereto were corroborative of what he has sworn with reference to this matter here to-day.

The WITNESS. Mr. Wrisley Brown would not know how to ask these questions altogether without the help of William Boland.

Mr. WORTHINGTON. Mr. President, it seems to me that it would be very unfortunate if we should have to try to get into this case what might be considered evidence against Judge Archbald of what this witness happened to say in an ex parte investigation in Scranton. The questions are all there; it is stated who asked them; and it is easy enough for the managers to do what I have done, count the number of questions that were asked by Mr. Boland, and it will appear that he asked 1 out of 10, or something of that kind. The witness is mistaken—there is no question about that—in saying that Mr. Boland asked most of the questions, so far as the report shows, and we ought not to have a statement made in this way by this witness or anybody else when there was no opportunity for Judge Archbald to be represented, put into this case as evidence.

The PRESIDENT pro tempore. The Chair is of opinion that the paper could not be put in evidence for the purpose of proving the testimony of the witness upon that occasion, unless the managers are prepared to take the position that they have been entrapped by the witness and desire to show what he has testified to on a former occasion; and the Chair does not understand that to be the proposition.

Mr. Manager WEBB. Well, Mr. President, in one view of the matter we think it is competent to show that Mr. Brown asked the questions, and not Mr. Boland. In another view of the question we take it that it is competent for the reason that the witness was examined on the 22d day of March, when the facts were fresh in his mind, and that it is competent to corroborate him as to what he has sworn here to-day to show that he has sworn it on other occasions.

The PRESIDENT pro tempore. The Chair is not of opinion that the corroboration of the witness is in order unless he is impeached in some way. There is no doubt about the right of the managers to prove that the questions were asked by whoever the party is, but the Chair does not think that the paper itself would be admissible as evidence of what the witness then swore to.

Mr. Manager WEBB. Then does the President admit it in evidence for the purpose of showing who did ask the questions?

Mr. WORTHINGTON. I would object to that. It seems to me if it is admitted for any purpose, of course, it goes into the record. It is an easy matter, of course, for anybody to ascertain how many questions were asked by Mr. Boland. As a matter of fact, only 12 were asked by him during a long examination.

The PRESIDENT pro tempore. The Chair would suggest that it would be better for the managers to prove what they desire without introducing the entire paper, because that would be putting in evidence that which is not proper for consideration as evidence.

Mr. Manager WEBB. To prove it in any other way would be an almost endless task, because there are 48 pages of typewritten matter, and the witness would probably have to go over it to see—

Mr. SIMPSON. To see what?

Mr. Manager WEBB. To see who asked the questions.

Mr. SIMPSON. We are quite willing that Mr. WEBB or any of his colleagues shall count them and their say so be put in the record.

Mr. Manager WEBB. I do not care to testify.

Mr. SIMPSON. We do not ask you to testify; but you can get some one outside. Mr. Brown can count them, and his say so will go.

Mr. WORTHINGTON. I happened to think this question might arise, and so I counted them myself. There are only 12 questions by Mr. Boland and 100 or more by Mr. Brown.

Mr. Manager CLAYTON. Mr. President, I dislike to do anything that may seem to be an abuse of the patience of the Senate, but it seems to me, inasmuch as Col. Worthington has seen proper to bring into this case a part of this deposition, that therefore we are entitled to have it all. It is upon that familiar principle that we insist upon our right to introduce this document in evidence in its entirety.

Mr. President, as to the limitation or the effect of this instrument, that is reserved to the Senate when it comes to render its verdict or judgment. We are addressing, as I undertook to say yesterday, a tribunal that acts in the double capacity of the judge of the law and the jury to determine the facts. Therefore, Mr. President, if you as judges admit this paper now, when you come to consider the question of fact as jurors, then you can, if you see fit, limit the effect of its operation. It is impossible for us to separate the function of the judge from the function of the jury here. Inasmuch, I repeat, as counsel for the respondent has introduced a part of this deposition, I insist that it is right and proper for us to have it all in the record—the whole truth, and not a part of it.

Mr. WORTHINGTON. I presume we are entitled to close on our objection, Mr. President. We introduced no part of this deposition in evidence. I asked the question of Mr. Williams as to whether Mr. Boland was not present when he was examined, and he answered that question, which was all I asked. Then he volunteered the statement, "Yes, and asked most of the questions." I did not ask him who asked the questions. I showed that Mr. Boland was present at the very time he has testified.

The PRESIDENT pro tempore. If a part of the deposition has been offered by counsel for the respondent, of course the Chair will recognize the right of the managers to offer the entire paper; but that is a question that seems to be in dispute. That proposition was not first suggested by the manager who first offered the paper. He put it upon an entirely different ground, as the managers and the Senate will remember. The Chair is not prepared to pass upon the question as to whether or not there has been in fact any part of the deposition put in evidence by the counsel for the respondent. If there has been a part of it put in evidence, the Chair recognizes the right of



the managers to have all of it on that ground alone. The Chair thinks the other propositions are untenable. The Chair, of course, recognizes the right of the managers to prove how many of these questions were asked by the respective parties.

Mr. Manager WEBB. Then we will offer, Mr. President, that part of it for that purpose. I do not recall the exact questions that Col. Worthington excerpted from the deposition.

The PRESIDENT pro tempore. Offer it for what purpose?

Mr. Manager WEBB. For the purpose of showing the entire questions and answers with reference to the matter about which Col. Worthington asked the witness.

Mr. SIMPSON. There was no such offer—

The PRESIDENT pro tempore. Probably the stenographer's notes would have to be consulted to see what part of it, if any, was offered by counsel for the respondent.

Mr. SIMPSON. There was no such offer made at all. There have been questions asked by Mr. WEBB for the managers and there have been questions asked by counsel for the respondent as to whether the witness did not testify at a certain place in a certain way. The managers might just as well say that because they asked whether or not on such and such a date he did not testify to such and such a thing before the Judiciary Committee the whole of his testimony may be put in in bulk here in that way. That is not the result which flows out of any such a suggestion as that. It is an inquiry of him for the purpose of putting him straight upon the record, and it is a particular right which those who are cross-examining have; otherwise cross-examination would amount to nothing. But there grows out of that no right to put in a whole bulk of testimony. Such a thing would be the most absurd rule of law imaginable.

If Mr. Worthington had said, "Mr. Williams, did you not on such and such a day testify thus and so?" and read the question and answer, and the managers then thought there was something in some other question or answer in that document which in some way corrected or straightened out or affected that matter, they could then ask him, "Did you not also testify thus and so on that same day?" and get that straightened out in the record in that way; but to put the whole document in, whether it relates to the question or not, would be—

Mr. Manager CLAYTON. May I ask the counsel—

The PRESIDENT pro tempore. The Chair must insist that the argument proceed in order. If there is objection, counsel will be heard, a reply will then be received by the Senate, and a conclusion accorded to the party making the objection; but irregular discussion can not be continued without manifest inconvenience and ill result.

Mr. Manager CLAYTON. I did not intend to interrupt, Mr. President, except by permission of the Senate and the consent of counsel, and it was for the purpose of directing—

The PRESIDENT pro tempore. The Chair had reference to the entire discussion and not to the particular manager who last addressed the Chair. It is necessary that we proceed in order. When there is objection, counsel will be heard; then a reply will be heard, and then a conclusion, but it must be done in that order if we are to proceed methodically.

Mr. SIMPSON. I think, sir, I have brought before the Senate what I desired.

Mr. WORTHINGTON. Mr. President, we have agreed that this matter may go over until to-morrow, so that we may see just what has taken place.

Mr. Manager WEBB. That was the agreement, Mr. President.

Q. (By Mr. Manager WEBB.) You told Col. Worthington a few moments ago that you could get options when others could not do it. What peculiar influence or power did you have to get options when other men failed to get them? Was it the influence of Judge Archbald?—A. How is that?

Q. You told Col. Worthington a few moments ago that you could get options on culm banks when other men failed to get them. What was your peculiar influence to enable you to get these culm banks when other men could not—was it Judge Archbald's assistance?—A. No, sir.

Q. What did you mean when you told the colonel that?—A. What?

Q. What did you mean when you told Col. Worthington that?

Mr. WORTHINGTON. Please say "Mr. Worthington."

Mr. Manager WEBB. "Mr. Worthington," I beg pardon.

A. I had one lease from Forest City to Moosic of all the Erie culm without the judge's aid. I never asked the judge—

Q. Why did you tell Mr. Worthington that you could get options when other men failed?—A. I could. I could get this one when Boland could not touch it at all,

Q. You got this option on the Katydid when other men had failed?—A. Yes, sir.

Q. That was the one you referred to; and you got that through the influence of Judge Archbald, did you not?—A. I did not, sir. I only got one part of it through Judge Archbald.

Q. That was the Katydid?—A. Yes; one part of it.

Q. And the Katydid dump belonged to the Erie Railroad Co.—one part of it?—A. One part of it; one-half of it; yes, sir.

Q. Mr. Robertson wanted to sell his part, did he not?—A. Yes, sir.

Q. And the Erie Railroad Co. would not buy it? Is not that true?—A. No; he wanted to sell it; he had been trying to sell it to the Erie Co.

Q. The Erie would not buy it?—A. No, sir.

Q. And the Erie would not lease their part?—A. No.

Q. Until you took hold of it?—A. Yes. They had agreed to sell it to the Du Pont Powder man before that for less than one-half what I offered for it.

Q. But it was never carried up to Mr. Thomas by Mr. May, and nothing ever came of it. Is not that true?—A. No; but they offered it for \$2,000 to du Pont, sir.

Q. Then you say you got the Erie Railroad Co.'s part of this dump through Judge Archbald's influence. Is not that your statement?—A. Yes; by paying a double price for it.

Q. I understand, but at whatever price it might be?—A. They did not favor me because of his influence, because I paid \$2,500 more for it than they offered it before.

Q. You alone could not get it from Capt. May; you could not get it by yourself?—A. I do not know.

Q. You tried it and failed?—A. I did at the time, but he did not say he would not give it to me.

Q. He declined to let you have it?—A. He declined at the time.

Q. Yes; and you carried the matter back to Judge Archbald?—A. I did.

Q. And are you willing to swear now that you got this culm dump from the Erie Railroad Co. through your influence or through Judge Archbald?—A. I got part of it; yes; their half.

Q. Their half through whose influence?—A. Judge Archbald's.

Q. Before you took this letter to Mr. May, did the judge tell you that he had already phoned May in advance that you were coming to see him?—A. No, sir.

Q. I believe the judge in his answer to this article says that before he wrote this letter to Mr. May he had already phoned May about this Katydid dump. Did he ever tell you that he had phoned him?—A. I do not remember anything about it.

Q. When he sent the letter up there to May by you did he tell you he had already communicated with May about the dump?—A. No, sir.

Q. I want to ask you a question or two about this silent-party agreement. It seems that you have stated that you did sign a silent-party agreement and stated that you do not remember it. I ask you if this is not the way it occurred, and if you did not swear to this before the Judiciary Committee: That you did have a silent-party agreement with Mr. Robertson?—A. What—that I did?

Q. I ask you whether, after you had been examined back and forth on this question before the Judiciary Committee, I did not ask you the question, "Mr. Williams, it seems that you did sign a silent-party agreement, but you think that this one in evidence, September 4, is not the one, because that is not the date"?—A. Do you not know that other copy you showed me last night here?

Q. Yes. What about it?—A. That is not the copy. Where did it come from?

Q. That is not the copy you signed?—A. I did not sign any, sir.

Q. Did you sign?—A. (Interrupting.) I never signed it. I do not know anything about the copy that you are talking about, where the writing is across the typewriting; I never signed that. I told them at first that I never had signed that.

Q. That particular copy; but I ask you again now, leaving out that particular copy which we referred to last night, did you not sign a silent-party agreement when you got the lease from Robertson, and did you not swear that before the Judiciary Committee?—A. To whom did I sign?

Q. Let me ask you if this statement was not made by you before the committee?

Mr. RUCKER. Who was the silent party referred to in that paper?

Mr. WILLIAMS. I think that was—

Mr. RUCKER. I am not talking about that. Who was the party you referred to when you said "silent party"?

Mr. WILLIAMS. It was Judge Archbald.

Mr. RUCKER. There is no question about you signing such a paper, is there?

Mr. WILLIAMS. Yes, sir.

Mr. RUCKER. And it had reference to Judge Archbald?

Mr. WILLIAMS. I think it was in John—  
Mr. RUCKER. I am not asking what it was in.  
Mr. WILLIAMS. Let me tell you. It was in John M. Robertson's option. That is where the "silent party" was.  
Mr. RUCKER. Why did you write in this paper the phrase "silent party," referring to Judge Archbald? [Page 575.]

Now, then, was not that reference to "silent party" in the option that you first secured from Robertson? That is what you seem to have finally sworn before the Judiciary Committee?—A. I could not say that I ever saw that in Robertson's option.

Q. Did you ever sign an agreement in which there was a silent party mentioned? I am not talking about the one of September 4 or 5 now, but I am asking this: Did you ever, with Robertson or with anyone else, sign a contract or an assignment in which "silent party" was mentioned?—A. I do not remember any such contract; I do not remember.

Q. Let me ask you if you did not tell Mr. Worthington this on his examination of you before the Judiciary Committee, reading at page 579 of the record:

Mr. WORTHINGTON. I would like to ask you to explain, if you can, why it is you say to me that you executed only one contract or assignment to Mr. Boland, in which there was nothing said about a silent party, and then the next minute you say to the members of the committee that you did understand you signed something in which there was reference to a silent party? How do you explain that contradiction?

Mr. WILLIAMS. I don't remember signing such a contract as that, but I tell you that there was a silent party in one paper that we had—a silent partner.

Did you tell Mr. Worthington that?—A. I do not know.

Q. Sir?—A. I could not say whether I said that or not.

Q. Was there any paper that you ever signed, whether in the presence of Mr. Boland or any other person, in which the words "silent party" were used?—A. Why should he use the "silent party" when he put his own name in the Conn paper? Why should he put in "silent party"?

Q. You need not argue the case. I wish you would listen to this question. Again, on page 590:

The ACTING CHAIRMAN. Then your contention is that the contract which has been shown you here, Exhibit 20—

That is the contract of September 5, in which you refer to the silent party and which you now say you did not sign—

which contains the language "and a silent party, whose name is known only to the persons named therein," was drawn in August and not in September? In other words, I understood you to say that the date had been changed on it?

Mr. WILLIAMS. It was drawn before April, sir.

The ACTING CHAIRMAN. It was drawn before April?

Mr. WILLIAMS. Yes, sir.

The ACTING CHAIRMAN. But it was drawn and signed by you? Is that right?

Mr. CARLIN. He says a contract was, but this contract never was.  
The ACTING CHAIRMAN. I understand; but I am asking about this particular contract. As I remembered his testimony day before yesterday, he contended that while he signed this contract with the "silent-party" language in it, it was really signed before he ever tried to make the deal with Robertson, and that after the deal was made with Boland he contends the date was changed on it to September 5. Was not that your contention the other day, Mr. Williams?

Mr. WILLIAMS. Wait, now—

The ACTING CHAIRMAN. I wish you would listen to my question.

Mr. WILLIAMS. Yes, sir.

The ACTING CHAIRMAN. I say, was not that your contention the other day?

Mr. WILLIAMS. Yes, sir.

The ACTING CHAIRMAN. That while you did sign this contract, this assignment to Mr. Boland, it was really signed not on September 5 but at some day before that time?

Mr. WILLIAMS. It was signed before this [exhibiting memorandum book]. Now, there is the time I got the culm from Robertson. You will see the date.

The ACTING CHAIRMAN. April 5?

Mr. WILLIAMS. April 5; yes, sir.

Mr. GRAHAM. Mr. Chairman, I suggest that you put in the record what that book is.

Is that your present contention—that you did sign a silent-party contract, but that it was not dated September 5, but some prior time? [A pause.] What do you say about that now, Mr. Williams?—A. I do not know anything about that contract that Boland claims that was wrote right on an angle across the paper there; I do not know anything about it; I can not have any memory of such a paper that ever came before me.

Q. Did you ever before September 5 sign any contract containing a silent-party reference?—A. The only paper I signed to him was before the option was got; before I got the option from Robertson.

Q. I believe you admit that you did sign this paper exhibited to you yesterday—the assignment of September 5—in which the silent party is included. You signed that?—A. I never signed that paper. I can not remember anything about such a paper in the world. And where did you get the paper you brought before me last night? Where did you get the paper? Will you bring that here? [A paper was handed to the witness by Mr. Manager WEBB.]—A. Oh, that is it? Well, this is not the paper, you know.

Q. (By Mr. Manager WEBB.) Now, which was the paper you signed?—A. Let me tell you now. That paper was printed down to the bottom here [indicating] and written across that way. This is not the paper, sir. No, sir.

Q. Did you sign this paper?—A. Did I sign it?

Q. Is not that your signature?—A. Yes, sir; that is my signature; but how did they get it there? That is the question. It is my signature all right; but you know how Jim Crawford's will was made, but I never signed. Why did he not bring that before, instead of bringing the other paper that was signed right across the printing of the stenographer?

Q. Are you in the habit of signing papers the contents of which you do not know?—A. No; not very often, sir.

Q. Then you did sign this paper?—A. Did I?

Q. You say you did?—A. Oh, you say so. No; I do not say so, because that paper—why did you bring that paper? Last night was the first time I saw it. The other paper, I told you, was signed at an angle across the writing on the paper.

Q. Well, Mr. Williams, I understand you to say that is your signature?—A. I say that, but I say Jim Crawford's will was signed the same way.

Q. Then you say that that is your signature?—A. Yes; it is my signature; but where did they get it? That is the point.

Q. That is Exhibit 7. One more question, please. When you went to the judge, after having seen May, and the conversation arose about the lighterage case, who mentioned the lighterage cases first?—A. I did.

Q. Let me ask you if you did not swear this before the House Judiciary Committee last May [reading from page 497]:

The CHAIRMAN. Did the judge, about that time, mention the lighterage cases to you in any conversation?

Mr. WILLIAMS. I seen them right there on the desk.

The CHAIRMAN. Was anything said about the lighterage cases?

Mr. WILLIAMS. He said that he had cases for them there at the time. That is all.

The CHAIRMAN. Meaning that he had cases before him in the court at that time?

Mr. WILLIAMS. Yes, sir. I did not understand what lighterage was at all.

The CHAIRMAN. And did he say that the Erie Railroad was a party defendant to those cases?

Mr. WILLIAMS. Yes, sir.

Did you swear to that?—A. Yes, sir.

Q. That is true, is it not?—A. Yes, sir; that is true.

Mr. Manager WEBB. That is all, Mr. President.

Recross-examination by Mr. WORTHINGTON:

Q. When you said just now, "Yes; that is true," in answer to Mr. WEBB's question, what did you mean?—A. What did I mean?

Q. What was it you meant was true?—A. It was true that we talked about the lighterage case.

Q. Do you mean to say it is true the judge asked the question first?—A. No; I do not say that. I say that we talked about it.

Q. How do you know that Mr. Robertson offered to sell his interest in the Katydid culm dump to Capt. May's company and could not do it?—A. He told me himself.

Q. Robertson told you?—A. Yes, sir.

Q. That is all you know about it—what Robertson told you?—A. Yes, sir. There is the man there.

Q. Where?—A. Up there [indicating the gallery].

Q. I understood you to say to Mr. WEBB just now that you tried to get the Katydid yourself before you went there with a letter from Judge Archbald. That is not so, is it?—A. I got the Robertson part of it, I told you; yes, sir.

Q. You did not go to Capt. May until you went there with a letter from the judge?—A. No, sir.

Mr. WORTHINGTON. That is all.

Mr. SMITH of Georgia. Mr. President, I send to the desk two questions which I should like to have the witness answer.

The PRESIDENT pro tempore. The Senator from Georgia asks that the questions submitted by him be propounded to the witness. The Secretary will read them.

The Secretary read as follows:

Q. Was the docket which you saw in Judge Archbald's room in writing or in print?

A. In print.

The PRESIDENT pro tempore. The next question offered by the Senator from Georgia will be read by the Secretary.

The Secretary read as follows:

Q. Please describe the appearance of the docket, and state at what place, with reference to the top or bottom of the page, the Erie cases were printed in the docket.

A. They were printed on top of the page.

The PRESIDENT pro tempore. The witness may retire. The managers will call their next witness.

Mr. Manager CLAXTON. Mr. President, we do not wish the witness to be discharged at this time, because we may desire to recall him.



The PRESIDENT pro tempore. Yes. The witness will remain in attendance.

Mr. WORTHINGTON. I think it should be understood that no witnesses are to be discharged unless counsel on both sides consent.

The PRESIDENT pro tempore. That will be the order given, then.

Mr. Manager CLAYTON. Do you mean to say—I ask for information—that if we are through with a witness and hear no expression of a desire on the part of the respondent that the witness attend further upon the court, we shall not have him discharged until we get the consent of the opposing counsel?

The PRESIDENT pro tempore. That was the suggestion of counsel.

Mr. WORTHINGTON. I think it much better, if either side wishes to discharge a witness, to ask the other side whether it has any objection.

Mr. Manager CLAYTON. I ask that because I think in one or two instances we have already, perhaps, dispensed with the attendance of some of the witnesses, and it seems to me that that makes a very difficult rule for us to follow. But we will do the best we can.

The PRESIDENT pro tempore. That is a different case altogether. The suggestion refers only to witnesses put upon the stand.

Mr. WORTHINGTON. I meant it to apply to those who are subpoenaed. As a matter of fact, we have refrained from issuing subpoenas to witnesses because we have understood they would be brought here by the managers on the part of the House. I think it might be very troublesome if a witness subpoenaed here should be discharged without our knowing it. It is very easy to arrange the matter. Counsel and the managers are here together every day, and we can communicate with them by telephone when we are not here.

The PRESIDENT pro tempore. Unless the matter is arranged between counsel, the Chair suggests that if the counsel for the respondent desires a witness it is perfectly competent for him to subpoena the witness on his own account.

Mr. Manager CLAYTON. I would say, in fairness to the managers on the part of the House, that in quite a number of instances gentlemen having important business engagements have asked the managers to let them go home, and, if needed, to call them back by wire and they would come. We have done that in a number of instances. Now, it may be developed in the case that we may not want to call back those gentlemen.

The PRESIDENT pro tempore. The Chair has already suggested to counsel for the respondent that if he desires the attendance of any witness who has also been subpoenaed by the managers, it is competent for counsel to subpoena him, and that will insure his attendance.

Mr. Manager CLAYTON. That is entirely satisfactory.

Mr. Manager WEBB. Mr. President, Mr. STERLING, one of the managers, will examine the next witness, who is Mr. W. A. May.

The PRESIDENT pro tempore. Call in the witness.

#### TESTIMONY OF WILLIAM A. MAY.

William A. May, having been duly sworn, was examined and testified as follows:

Q. (By Mr. Manager STERLING.) Where do you live?—A. Scranton, Pa.

Q. How long have you lived in Scranton?—A. Thirty-nine years.

Q. What is your business?—A. I am now vice president and general manager of the Hillside Coal & Iron Co.

Q. Where is the office of the Hillside Coal & Iron Co.?—A. Their office is in Dunmore, Pa.

Q. Where is Dunmore with reference to Scranton?—A. It is a suburb of Scranton, joining it.

Q. How long have you been vice president and general manager of the Hillside Coal & Iron Co.?—A. About one year.

Q. How long have you been connected with that company?—A. Since July 1, 1873.

Q. In what capacity were you connected with the Hillside company prior to the time you became manager and vice president?—A. Before becoming vice president and general manager I was general manager. Previous to that I was superintendent.

Q. Are the duties of your office now as vice president and general manager substantially the same as they were prior to a year ago?—A. They are substantially the same.

Q. What is the relation of the Hillside Coal & Iron Co. to the Erie Railroad Co.?—A. The Erie controls the Hillside Coal & Iron Co.

Q. In what way does it control it?—A. I believe by stock ownership.

Q. Does the Erie Railroad Co. as a corporation own the Hillside Coal & Iron Co.?—A. I believe so.

Q. All of it?—A. I so understand.

Q. Who are the officers of the Hillside Coal & Iron Co.?—A. Mr. F. D. Underwood, president; G. A. Richardson, vice president; D. W. Bigoney, treasurer; David Bossman, secretary.

Q. Who is president of the Erie Railroad Co.?—A. Mr. F. D. Underwood.

Q. How long has he been president?—A. I can not tell you.

Q. He is also president of the Hillside Coal & Iron Co.?—A. He is.

Q. Do you hold any official position with the Erie Railroad Co.?—A. I do not.

Q. Who is the general counsel for the Erie Railroad Co.?—A. Mr. George F. Brownell.

Q. What office, if any, does he hold in the Hillside Coal & Iron Co.?—A. He is general solicitor.

Q. He is general solicitor for both of those corporations?—A. He is vice president and general solicitor for the Erie and general solicitor for the Hillside Coal & Iron Co.

Q. Mr. Richardson is vice president of the Erie Railroad Co.?—A. He is.

Q. What is his office, if any, with the Hillside Coal & Iron Co.?—A. He is vice president.

Q. Who is your immediate superior officer?—A. Mr. Richardson.

Q. In the Hillside Coal & Iron Co.?—A. He is.

Q. Do you know Judge Archbald?—A. I do.

Q. Do you know E. J. Williams?—A. I do.

Q. How long have you known E. J. Williams?—A. I think I first met him about 20 years ago.

Q. Has your acquaintance with him been continuous since that time?—A. It has not.

Q. To what extent does your acquaintance with E. J. Williams go?—A. Very slight.

Q. Have you had any business negotiations with him?—A. I have not, except in the case of the Katydid dump, now in question.

Q. What do you mean by the Katydid dump?—A. It is a culm dump made by the operations of the Katydid colliery.

Q. Describe briefly what you mean by a culm dump.—A. Culm is the refuse coal made in preparing coal for market.

Q. How is the refuse made?—A. By breaking up run-of-mine coal, running it through the breaker and making it into the various sizes.

Q. A culm dump is not made except as an incident to mining coal, is it?—A. That is all.

Q. And is thrown aside, and at one time was abandoned as refuse?—A. That is correct.

Q. And as worthless?—A. Yes, sir.

Q. And the accumulation of this refuse at the different collieries are called culm dumps?—A. Yes, sir.

Q. Or culm banks?—A. Yes, sir; coal dumps or coal banks.

Q. In the mining of what kind of coal is the culm bank created?—A. Anthracite coal.

Q. Where is the Katydid culm bank situated?—A. It is situated near Moosic, Pa.

Q. Where is that, with reference to Scranton?—A. Moosic is about 5 miles away.

Q. You are familiar with the Katydid culm bank?—A. Yes, sir.

Q. I will ask you to state what were the beginnings of the negotiations for the sale of the Katydid bank to Mr. Williams.—A. Mr. Williams brought to me a letter from Judge Archbald. That was the beginning.

Q. Before that had not Judge Archbald telephoned you in regard to it?—A. He may have done so. I do not remember it, though.

Q. Did you not suggest to Judge Archbald in the conversation over the phone that he send you a letter?—A. It may be possible; I do not remember.

Q. In any event, Mr. Williams came to you with a letter?—A. Yes, sir; he did.

Mr. Manager STERLING. I ask that this be marked as an exhibit.

The letter referred to was marked "Exhibit No. 11."

Q. (By Mr. Manager STERLING.) Look at Exhibit No. 11, Mr. May, and state if that is the letter Mr. Williams brought to you about the day it bears date.—A. (After examination.) That is the letter.

Mr. Manager STERLING (to Mr. Worthington). Do you want to see it?

Mr. WORTHINGTON. We are familiar with it.

Mr. Manager STERLING. We offer the letter, and will ask the Clerk to read it.

The PRESIDENT pro tempore. In the absence of objection, it will be marked and read.

The letter referred to was marked "Exhibit No. 11" and was read, as follows:

[U. S. S. Exhibit 11.]

(United States Commerce Court, Washington.)

SCRANTON, Pa., March 31, 1911.

W. A. MAY, Esq.,  
Superintendent Hillside Coal & Iron Co.

DEAR SIR: I write to inquire whether your company will dispose of your interest in the Katydid culm dump belonging to the old Robertson & Law operation at Brownsville? And, if so, will you kindly put a price upon it?

Yours, very truly,

R. W. ARCHBALD.

Q. (By Mr. Manager STERLING). I wish you would look at the notation at the bottom of the letter and state who put that there—A. I put the upper notation; that is, just below the signature. That is in my handwriting.

Q. When did you do that?—A. On March 31, 1911.

Q. Please read your notation.—A. "Have asked Beyea to have an estimate made of the quantity of material in this bank."

Q. Who is Beyea?—A. He is the land agent.

Q. When Mr. Williams presented that letter to you, just state what he said to you and what you said to him.—A. I do not remember anything he said to me.

Q. Do you remember the substance?—A. I do not.

Q. What did you say to him?—A. I took the letter and put the notations thereon. I do not remember what I said to him. Whether I told him I would have an examination made or not, I do not remember.

Q. To refresh your recollection, Mr. May, did you not say to him that it was not the policy of the railroad company or the Hillside Coal & Iron Co. to dispose of its coal properties?—A. I do not believe I said so.

Q. Did you write Judge Archbald?—A. I did not.

Q. In reply to that letter?—A. I did not.

Q. Did you not send any word to Judge Archbald by Mr. Williams at that time?—A. I do not remember.

Q. Do you say now that you did not?—A. I do not say that I did or that I did not.

Q. Do you say that you probably did?—A. I would not.

Q. Do you know whether or not you made any answer in any way, either by letter or by word, through Mr. Williams to Judge Archbald to that letter?—A. I do not remember what I said.

Q. What did you do next after you had made the notation on the letter?—A. I do not remember what I did.

Q. Did you order an estimate made of it?—A. I did.

Q. When?—A. The notation was on there.

Q. When did you do it, I am asking you?—A. March 31, 1911.

Q. Why did you do that?—A. Because we wanted to get at the quantity of material in the bank.

Q. Did Mr. Beyea make an estimate of the material?—A. He did not.

Q. Why did he not?—A. He gave it to the engineer in his office to make it.

Q. Was it made by your office or by your company?—A. The estimate was made.

Q. When?—A. Shortly after this date.

Q. What was done about it, then, when you got the estimate?—A. The estimate was made, the sizes of the coal arrived at, and then the matter was brought again to my attention.

Q. By whom?—A. By Mr. Beyea and by Mr. F. A. Johnson, who arrived at the quantity, or rather the percentage, of the various sizes in the bank.

Q. What did you do when you got the report from the engineer?—A. Nothing was done, as I recall it; nothing was done at that particular time.

Q. What did you next do with reference to the matter?—A. The next thing I recall is that I spoke to Mr. Richardson about it.

Q. Had you heard again from Judge Archbald between the 31st of March and the time you spoke to Richardson with reference to it?—A. I do not remember that I did.

Q. What did you and Mr. Richardson do with reference to it?—A. When he visited the mines I spoke to him about it.

Q. What did you say to him?—A. We merely discussed the advisability of selling the dump and concluded not to sell it.

Q. And concluded not to sell it?—A. At that time.

Q. How is that?—A. We concluded we would do nothing at that time.

Q. You decided that it was against the policy of the company to sell its coal property and determined not to sell it?—A. Not necessarily in that way.

Q. Not necessarily? Did you do it or did you not do it? What was the result of your conference with reference to

selling the Katydid?—A. The matter was dropped for the time being.

Q. What conclusion did you come to with Mr. Richardson with reference to selling the Katydid?—A. We simply stopped at that point—did nothing more.

Q. You decided not to sell it?—A. We decided not to sell it.

Q. Then Williams came to you again, did he not?—A. He might have come to me again.

Q. What did you say to him then?—A. I do not remember.

Q. After you and Mr. Richardson had concluded not to sell it?—A. I do not remember.

Q. He came then with a letter from the judge, did he not?—A. I have no recollection of getting a letter from the judge through Mr. Williams.

Q. Did you not say to Mr. Williams when he came to you after you conferred with Richardson that you were not going to sell the Katydid?—A. I might have done so; I do not remember.

Q. Did you learn then, after Williams had been to you that time, that he had gone back to Judge Archbald?—A. I did not.

Q. When did you next hear of this negotiation for this Katydid coal bank on the part of Judge Archbald and Mr. Williams?—A. I think it was in August.

Q. About what time in August?—A. About the 25th of August.

Q. Where did you hear of it?—A. In New York.

Q. Where?—A. In Mr. Richardson's office.

Q. Both his office and Mr. Brownell's office are in New York?—A. They are.

Q. At the same place, are they not?—A. Yes, sir.

Q. What did Richardson say to you then?—A. As I recall it, he told me to take up the Katydid dump matter again.

Q. With whom?—A. With Mr. Williams.

Q. Did he say why?—A. He told me that Judge Archbald had seen him.

Q. Did he tell you when Judge Archbald had seen him?—A. He did not.

Q. Did he tell you where he had seen him?—A. I do not recall that.

Q. Did he not tell you that Judge Archbald had come to his offices in New York; that he desired to buy the Katydid coal dump, and that he had told Judge Archbald that he would take it up with you again? Is not that what he said to you?—A. I think that is so.

Q. That is substantially what he said to you?—A. Yes.

Q. And from that you began negotiations again for the sale of the Katydid coal dump?—A. I did.

Q. What did you do?—A. I casually met Judge Archbald and told him—

Q. You say you casually met him. What do you mean by casually meeting him?—A. I accidentally met him, then.

Q. Where did you meet him?—A. I met him on the street.

Q. When?—A. I think the 29th of August.

Q. Four days after you had been in New York?—A. Yes, sir.

Q. What did you say to him?—A. As nearly as I recall it I told him to send Mr. Williams up to see me about the Katydid bank.

Q. Why did you send that message by Judge Archbald?—A. I incidentally met him and told him because the letter had originally come from him.

Q. And Mr. Richardson told you to open up negotiations again with Williams, you say?—A. Yes.

Q. The reason you told Judge Archbald to send Williams to you again was because you knew that Judge Archbald was interested in the proposed purchase of the coal dump. Is not that true?—A. Not necessarily.

Q. You say "not necessarily." Now, was it true or not? Did you suppose that he was interested at that time?—A. I knew he was interested, but what the character of his interest was I did not know.

Q. Did Williams come up to see you after you sent word to him by Judge Archbald?—A. He did.

Q. The same day?—A. No, sir.

Q. When?—A. I think it was the next day.

Q. Then what did you do when Williams came?—A. I told him that I would recommend the sale of the dump for \$4,500. I do not remember whether I told him I would write him, but because of that interview I wrote a letter.

Q. To Mr. Williams?—A. To Mr. Williams.

Q. When you met Judge Archbald on the street, what else did you say to him besides telling him to send Mr. Williams up to see you?—A. Nothing that I recall.

Q. Did you not say to him that you would let them have the Katydid coal dump?—A. No, sir; I do not recall.

Q. You told him what you wanted to see Williams about, did you not?—A. I do not think I did. I might have. I do not remember.



Q. Is this the letter [exhibiting], marked Exhibit One-half, in which you say to Mr. Williams that you recommend the sale of whatever interest the Hillside Co. have?—A. (Examining.) That is the letter.

Q. It is the letter you have just referred to?—A. Yes, sir.

Q. What occurred next, after you had written that letter to Mr. Williams, the one dated August 30?—A. I think the next thing was the bringing of Mr. Bradley to my office by Mr. Williams.

Q. When was that?—A. That was in April of this year.

Q. Do you remember about what time it was?—A. It must have been about April 8 or 9.

Q. Who came with Mr. Bradley to your office?—A. Mr. Williams.

Q. What occurred there?—A. Mr. Williams introduced Mr. Bradley to me as a purchaser of our interest in the Katydid dump.

Q. In this letter of August 30 you propose to sell the interest of the Hillside Co. for \$4,500. Now, when Williams came there with Bradley, did they state to you the terms on which Bradley was taking the property?—A. No; they did not.

Q. You say they did not?—A. They did not.

Q. Go ahead and state what was said.—A. As nearly as I remember it, I asked Mr. Bradley for references as to his financial responsibility, and he gave me the references; and as I was going down to the Consolidated breaker, which is situated in that vicinity, I told him I would go down to the dump with them, and I did go down to the dump, I think that afternoon, and Mr. Bradley looked at it and said he was willing to take it.

Q. At what price?—A. At \$4,500 for everything below pea size, and to pay royalty on pea and above.

Q. You say that Bradley said he would take it at that price?—A. He did.

Q. Was not that the price at which Williams and Archbald were buying it?—A. It was the price that they were to get it at.

Q. From you?—A. From us.

Q. But you knew they had sold it to Bradley for \$20,000?—A. I did not.

Q. Did you know what price they had sold it at?—A. I did not.

Q. Then Bradley did not say he would take it at \$4,500, did he?—A. No; he said that he was willing to take the bank, after looking at it. I do not believe he said he would take it at \$4,500.

Q. Did you not know of an effort on the part of Williams and Archbald to sell this property to Conn?—A. I did.

Q. Then this was not the next thing that occurred. What was it with reference to the sale of the property to Conn?—A. The sale of the property to Conn was his request from me to know what our investigations disclosed as to what the bank contained. That is my recollection.

Q. That inquiry was from Conn?—A. That was from Conn.

Q. Had you received a letter from Judge Archbald prior to that about the sale to Conn?—A. No; I think that Mr. Conn inquired before that letter came.

Q. Look at this letter [presenting letter], Exhibit 12, and state if you got that letter from Judge Archbald?—A. (Examining letter.) Yes, sir; I got that letter from Judge Archbald.

Q. What date does it bear?—A. November 29, 1911.

Q. Did you make any notations on that letter?—A. No, sir. Mr. Manager STERLING. Just give it to the clerk. We offer it, Mr. President, and ask that it be read.

The PRESIDENT pro tempore. It will be read.

Mr. Manager STERLING. Did you want to see it, Mr. Worthington?

Mr. WORTHINGTON. Oh, no.

The Secretary read as follows:

[U. S. S. Exhibit 12.]

SCRANTON, November 29, 1911.

W. A. MAY, Esq.,  
General Manager Hillside Coal & Iron Co.

MY DEAR CAPT. MAY: I have closed a deal on behalf of Mr. Williams for the Katydid culm dump with the Laurel Line Co., as reported to you by telephone this morning, and am therefore ready to close with you at any time you indicate—the earlier the better. Please let me look over the papers you have drawn before you execute them. I go to Washington on Monday for a few days, and, if not too much to ask, I would like before I go to get the preliminaries disposed of.

Very truly, yours,

R. W. ARCHBALD.

Q. (By Mr. Manager STERLING.) The letter that has just been read, marked Exhibit 12, was in the handwriting of Judge Archbald, was it not?—A. It was.

Q. Did you answer that letter?—A. I answered the letter; yes, sir.

Q. Look at Exhibit 13 [presenting letter] and state if that is the answer which you made?—A. (Examining letter.) That is the answer I made.

Mr. Manager STERLING. We offer it in evidence, and I ask the Clerk to read it.

The PRESIDENT pro tempore. The letter will be read.

The Secretary read as follows:

[U. S. S. Exhibit 13.]

DECEMBER 1, 1911.

Hon. R. W. ARCHBALD, Scranton, Pa.

MY DEAR JUDGE: Your note of the 29th ultimo, telling me of the consummation of the sale of the Katydid culm dump and requesting that the papers for the sale of the Hillside's interest be submitted to you before you leave for Washington on the 4th instant, is received.

I regret very much that I can not have the papers ready by that time. I shall, however, take the matter up with our attorneys to-day and do the very best I can. If it were not necessary to submit the papers to our New York office I could do as you wish, but that is the obstacle.

Yours, very truly,

General Manager.

Q. (By Mr. Manager STERLING.) Mr. May, the letter just read was not the original?—A. No, sir.

Q. That was just a copy of the letter which you sent to Judge Archbald?—A. Just a copy.

Q. Look at Exhibit 14 [presenting letter] and state if you received that letter from Judge Archbald.—A. (Examining letter.) I received that letter from Judge Archbald.

Mr. Manager STERLING. We offer it and ask that it be read.

The PRESIDENT pro tempore. The Secretary will read it.

The Secretary read as follows:

[U. S. S. Exhibit 14.]

(United States Commerce Court, Washington.)

SCRANTON, PA., December 13, 1911.

MY DEAR CAPT. MAY: The closer I look into the claim of Mr. Robertson, the more I am impressed with the idea that it is something substantial. And the less, on the other hand, do I feel that there is very much consideration to be given to the Everhart end of it. In order, however, to relieve the matter of any question, I am endeavoring to see whether I can secure from them and from the E. & G. Brookes Co. people a release of their respective interests, for which I have made them what I consider a fair offer. In the meantime, may I ask that you regard the price which you have given us for the Hillside Coal & Iron Co. interest as confidential.

Yours, very truly,

R. W. ARCHBALD.

Q. (By Mr. Manager STERLING.) Mr. May, when you received that letter did you form the opinion then that Judge Archbald had a pecuniary interest in this transaction?—A. I arrived at no conclusion as to his interest.

Q. He spoke about the price he was paying for it in that letter? Did it occur to you that he himself had any interest in the dump?—A. I did not know what interest he had.

Q. That is not the question, Mr. May. Did it occur to you from the letter which he wrote you at that time that he was buying this on his own account or that he had an interest in the dump?—A. I did not know what his interest was.

Q. I am not asking you that. Did it occur to you that he had any interest at all in it?—A. He might have had an interest of some kind, but what his interest was I do not know.

Q. Well, you thought he had an interest of some kind in it, did you not?—A. Of some kind; but just what it was I did not know.

Q. Then you replied to that letter by Exhibit 15, did you not [handing a letter to the witness]?—A. (After examination.) I did.

Mr. Manager STERLING. Will the Secretary please read the letter which we offer?

The PRESIDENT pro tempore. The letter will be read.

The Secretary read as follows:

[U. S. S. Exhibit 15.]

DECEMBER 15, 1911.

Hon. R. W. ARCHBALD, Scranton, Pa.

MY DEAR JUDGE: Your letter of the 14th instant in regard to claim of Mr. Robertson, stating that you were trying to get in touch with the E. & G. Brookes Co. people, etc., and requesting that I say nothing about the price given you by the Hillside Coal & Iron Co. for its interest, is received.

I shall say nothing to anyone about our interest.

Yours, very truly,

Vice President and General Manager.

Q. (By Mr. Manager STERLING.) That is a copy of the letter which you sent to Judge Archbald, is it not?—A. Yes, sir.

Q. It was not until April, until Mr. Bradley came with Mr. Williams to your office, as I understood you?—A. It was in April.

Q. And after you had gone with Mr. Bradley to look at the dump did you have any meeting with him?—A. Yes, sir.

Q. When was it that you told him or that he told you that he would take the dump?—A. I think it was when we were on the dump.

Q. Was there any arrangement made at that time about drawing up the contract?—A. I think there was; at least the form was drawn.

Q. When?—A. It was drawn within a day or two after we were down at the bank.

Q. To whom was that contract made?—A. To Mr. Williams.

Q. It is the contract that was offered in evidence here yesterday, is it not?—A. I presume so.

Mr. WORTHINGTON. That is admitted.

Q. (By Mr. Manager STERLING.) Well, it is this contract without date, or proposed contract, marked "Exhibit 5," in which it is stated that the Hillside Coal & Iron Co. grants and conveys unto Edward J. Williams all its right, title, and interest to the Katydid culm bank. That [showing the paper to the witness] is the contract which you drew up at that time, is it not?—A. That is the form.

Q. And what did you do with it?—A. I sent that form to Mr. Bradley.

Q. With a letter?—A. With a letter.

Q. Is the letter in here [indicating]?—A. I do not know.

Mr. Manager STERLING (to Mr. Manager WEBB). Did you offer that letter yesterday?

Mr. Manager WEBB. Yes.

The SECRETARY. It is Exhibit 6.

Q. (By Mr. Manager STERLING.) Is this letter, marked "Exhibit 6," signed by yourself, and dated April 11, the letter which accompanied the contract which you sent to Mr. Bradley?—A. That is the letter, but it is signed by my chief clerk.

Q. Is not that your signature?—A. It is my signature; but he signed it.

Q. Well, it was signed on your authority?—A. Yes; it was.

Q. That was a copy that you looked at, was it not?—A. I think it was.

Q. Now look at this [handing paper to the witness] and see if this is not the original—the upper part of it?—A. Yes; that is correct; that is the original.

Q. Look at the notation at the bottom in typewriting. Who put that at the bottom of that letter?—A. The typewritten portion?

Q. Yes, sir.—A. My stenographer.

Mr. Manager STERLING. That is Exhibit 16, is it not, I will inquire of the Secretary?

The PRESIDENT pro tempore. It is marked "Exhibit 16."

Mr. Manager STERLING. We offer Exhibit 16, including the typewritten statement at the bottom under the signature. I ask to have the entire letter and the notation read.

The PRESIDENT pro tempore. The Secretary will read as requested.

The Secretary read as follows:

[U. S. S. Exhibit 16.]

(Pennsylvania Coal Co., Hillside Coal & Iron Co., New York, Susquehanna & Western Coal Co., Northwestern Mining & Exchange Co., Blossburg Coal Co.)

OFFICE OF THE GENERAL MANAGER,  
Scranton, Pa., April 11, 1912.

Mr. RICHARD BRADLEY, Peckville, Pa.

DEAR SIR: Herewith please find proposed form of agreement conveying the interest of the Hillside Coal & Iron Co. in the culm piles on the surface of lot 46, situate partly in Lackawanna and partly in Luzerne Counties, Pa.

Will you please confer with Mr. E. J. Williams, to whom I have sent a copy of this letter, in regard to the form herewith and advise whether or not same meets with your approval. If the agreement is satisfactory to you, it will be submitted to the executive officers of the Hillside Coal & Iron Co. for their consideration and approval.

Yours, very truly,

W. A. MAY,

Inc.

Vice President and General Manager.

APRIL 12, 1912.

This letter and the attached form were returned to me at the Laurel Line station at 1.10 p. m., April 12, 1912, by Mr. Bradley, who stated that the form was satisfactory to him. I at the same time told him that notice was served on me by C. P. Holden not to dispose of the interest of the E. & G. Brook Land Co., as he held an option, and also in the name of his wife, who also has a small interest, and a notice from James E. Heckel, administrator of the James Everhart estate, which is the owner of five twenty-fourths. Mr. Bradley wanted to know whether he should go down there to-day, he being on the way there at the time I saw him. I told him I saw no objections to him going down, but I would have to consult our attorneys before going any further with the matter. He did not say whether he had seen Mr. Williams or not.

W. A. M.

Q. (By Mr. Manager STERLING.) That was the notation that you put at the bottom of the letter after Bradley had returned it to you?—A. Yes, sir.

Q. And after he had returned it to you at your request?—A. Yes, sir.

Q. That occurred the next day, or two days, after you had sent that letter with the contract to Mr. Bradley?—A. It occurred on the 12th of April, and I sent it on the 11th.

Q. The next day?—A. The next day.

Q. Now, what had occurred in the meantime to cause you to change your mind with reference to selling that dump to Mr.

Williams?—A. Mr. C. P. Holden called on me at my office and objected to the sale of our interest. On the morning of the 12th I received two or three letters, one from him, one from his attorney, and I think one from the administrator of the James Everhart estate.

Q. Do you know how it came about that all these people sent these letters in to you at that time, just at the time you were about to convey your interest?—A. I do not know why.

Q. Do you think it remarkable that all these persons would get these letters in there objecting to the sale of that property after it had been lying dormant there for so long and they had never made any claim to it?—A. Not necessarily.

Q. You do not think it strange at all?—A. Not at all.

Q. They did not object to your selling your interest in it, did they?—A. There was a question as to—

Q. Just answer my question. In your notation you say that they objected to your selling their interest in it. Did they object to your selling their interest in it, or did they object to the Hillside Coal & Iron Co. selling its interest in it?—A. They objected to a sale of any kind, as I understood it.

Q. Then your notation is not correct?—A. That may be.

Q. Did you consider it of any importance that somebody else would notify you not to sell the interest of the Hillside Coal & Iron Co. in this dump?—A. It was of importance to us.

Q. You were not selling anything but your interest, were you?—A. That was all.

Q. This contract which you had prepared to send to Bradley simply specified that you were conveying the right, title, and interest of the Hillside Coal & Iron Co.?—A. That is right.

Q. And you were not intending to warrant anything, were you?—A. But—

Q. Wait. You were not intending in that contract to warrant anything, were you?—A. We were not going to warrant anything; but we had other interests that I had to look after, and this was a very small matter.

Q. Just answer my question. Is it not a fact that between the time you sent this contract to Bradley and the time you met him at the Laurel Station and demanded it back it had developed that this investigation was going on from the Department of Justice with reference to Judge Archbald's connection with this deal and the Erie Railroad Co.?—A. If it did I did not know it.

Q. Had you not heard?—A. I had not.

Q. Had you not heard just at that time, when it was beginning to be rumored about the streets of Scranton?—A. I had not.

Q. Wait—that an agent was there from the Department of Justice investigating these deals which Judge Archbald was having with the railroad companies, and was not that the reason you demanded this contract back from Bradley?—A. It was not.

Q. At what hour of the day did you see Bradley?—A. About 1 o'clock.

Q. On the 12th?—A. On the 12th.

Q. And you had mailed this contract to him on the 11th?—A. On the 11th.

Q. What time of day had you mailed it?—A. I think it was mailed in the afternoon.

Q. Of the 11th?—A. Yes; of the 11th.

Q. Now, when was it that these letters which you speak of came into your hands from these people notifying you not to sell?—A. On the morning of the 12th.

Q. They were all there on the morning of the 12th?—A. Not all of them. There were two or three; some came later.

Q. Did you get information from anybody, or did somebody tell you, that a tip had gone out from the office of the Hillside Coal & Iron Co. that they wanted an excuse for withdrawing this contract, and for that reason had these letters sent in there?—A. No, sir.

Q. At any rate, you refused to make the conveyance to Mr. Williams at that time, did you?—A. I did at that time.

Q. Now, going back, it was during the negotiations after you had received that letter in April from Judge Archbald, after you had talked with Mr. Richardson and had a conference with him—I mean the conference in which you and he determined not to sell the Katydid coal dump—that you and he changed your minds with reference to it, or he changed his mind and gave you different directions from what he had given you before?—A. He told me—

Q. Wait now. That occurred, did it not, between those dates?—A. Please repeat that question. I did not get it. I want to answer it.

Q. Between the time that you got the letter from Judge Archbald in April and after the time that you and Richardson had conferred and decided not to sell the Katydid coal dump—



it was after that and before you sent word by Judge Archbald to Williams that you would sell him the mine—that you and he changed your minds with reference to selling the coal dump, was it not?—A. There was no change in my mind, but Mr. Richardson told me to take the matter up again.

Q. And he told you that Judge Archbald had been to New York to see him at that time, did he not?—A. That is as I remember it.

Q. Did he tell you when he was in New York?—A. No; he did not, as I recall.

Q. Do you know when he was in New York?—A. Judge Archbald?

Q. Yes.—A. I do not.

Q. What effect did the fact that Judge Archbald appeared to be interested in this proposition have upon the Hillside Coal & Iron Co. and the Erie Railroad Co. with reference to the change of policy?

Mr. WORTHINGTON. Mr. President, I object to that question except as it may refer to what is in the witness's own mind to what he knows of his own knowledge with reference to the others.

Mr. Manager STERLING. I am merely asking for his knowledge about it—if he has knowledge.

Mr. WORTHINGTON. If I understand it is confined to his knowledge, of course I do not object; but we do not want any hearsay.

The WITNESS. Will you repeat that question?

Q. (By Mr. Manager STERLING.) What effect did the fact that Judge Archbald appeared at that time to have an interest in this dump have upon the officials of the Hillside Coal & Iron Co. and the Erie Railroad Co. with reference to changing their policy in regard to selling this coal dump?—A. I do not know. I only know that Mr. Richardson, in the ordinary course of business, told me to take the matter up again and see what could be done with it.

Q. Now, that is not all he told you, is it?—A. That is all I remember.

Q. He told you that Judge Archbald had been to see him, did he not?—A. Yes; that is correct.

Q. And you talked about the fact that Robert W. Archbald was a judge of the Federal court, did you not, at that time?—A. No, sir; we did not.

Q. And do you not know as a fact that because Judge Archbald saw him about it and because he was a judge of the Federal court was the reason that you changed your mind with reference to the sale of the Katydid dump?—A. Not at all.

Q. Did you not swear to that before the committee?—A. I did not.

Q. Well, you would not have sold it to Williams, would you?—A. No; we would not.

Q. You would not have sold it to anybody else, would you?—A. Yes; we would.

Q. What is the answer?—A. We would have if there had been no entanglements or complications in connection with it.

Q. Why would you not sell it to Williams until after Judge Archbald came into the deal?—A. Because I did not consider him responsible.

Q. You knew that he was not paying a dollar for it; that he was just getting an option and depending on the sale of it to pay you anyhow, even with Judge Archbald in it, did you not?—A. I do not remember that I knew what he was going to do with it.

Q. Did you know when you made this contract with Bradley that Mr. Bradley was to give you a check for \$4,500?—A. Yes; that was subsequent.

Q. You knew, then, that Bradley was paying to you the price which they had agreed to pay you?—A. Yes; that was in April, but the letter was given to Mr. Williams in August of the previous year. Of course at the time—

Q. You were not expecting Judge Archbald or Williams to pay anything until they sold it, anyhow, were you?—A. I do not remember that I thought anything about it.

Q. Did you ever ask him for pay after you told him he could have it?—A. No, sir; I did not.

Q. It was in August—the 30th day of August—that you wrote that letter to Williams?—A. It was.

Q. Stating the terms on which he could have it?—A. It was.

Q. They did not pay you then, and they never offered to pay you; and not until April, until Bradley came there and agreed to take the mine from Williams and Archbald, was anything said about the Hillside Iron & Coal Co. getting its forty-five hundred dollars?—A. Bradley was the first man that offered to pay us, or, rather, he was the first man we expected to get any pay from.

Q. Why would you not have been just as secure in your pay if you had sold it to Williams on those terms as you were in selling it to Williams and Archbald?

The WITNESS. Please repeat that.

Q. Why were you not just as secure in getting your pay, if you had sold it to Williams on those same terms, as you were by selling it to Archbald and Williams together?—A. No, sir.

Q. Why not?—A. Because we did not know where the money was to come from.

Q. You knew it was not to come from anywhere until they sold it. You were giving them an option and if they did not sell it they would not take it from you.—A. If they had offered the price themselves, we would have accepted that of course.

Q. But you did not expect them to do that?—A. I do not remember anything—

Q. Although Archbald was in it, you did not expect them to do that?—A. I do not know.

Q. You expected to wait for your money until they had sold it and that is what you did do, although Archbald was in it; is not that true?—A. That is what we did in Bradley's case.

Q. Now, let me ask you. You testified last summer before the Committee on the Judiciary in this investigation?—A. I did.

Q. I will ask you if this question was asked you by Chairman CLAYTON:

The CHAIRMAN. What I want to know, Mr. May, to be perfectly frank with you, is, was it on account of Judge Archbald's influence with you that you afterwards wrote Williams this letter of August 30, in which you signified a desire to sell the property?

And did you not make this answer:

Mr. MAY. It was the receipt of Judge Archbald's letter, in the first place, that caused me to make the examination. Even after August 31—or August 30—and up to April of this year I have refused to sell the bank, or our interest in the bank.

And then this question:

The CHAIRMAN. Then you paid no attention to Williams in his negotiations, except whenever he presented a request from Judge Archbald, about the sale of this property. Is that the fact?

And your answer:

Mr. MAY. I think that is so.

A. That is correct. I answered that way.

Q. You would answer the question the same way now?—A. I do.

Q. And then this question by Chairman CLAYTON:

It was through Judge Archbald's influence that Williams was getting or seeking to get from you the sale of this property?

Mr. MAY. Yes.

A. That is right. But if you will allow me, I should like to add to that—

Mr. Manager STERLING. Wait until I ask you these questions:

Q. (By Mr. Manager STERLING.) And were you asked this question:

The CHAIRMAN. And without Judge Archbald's influence Mr. Williams could not even have had an investigation of the value and the title of that property made?

Mr. MAY. No.

The CHAIRMAN. He could not have done that?

Mr. MAY. No.

That is correct?—A. That is correct.

Q. And this question:

The CHAIRMAN. It was through Judge Archbald's influence that Williams was enabled to have you make this investigation as to the value of the property, the physical contents of the culm bank, and the legal title? Is that true?

Mr. MAY. That is right.

A. That is correct.

Q. And this question:

The CHAIRMAN. And it was through Judge Archbald that you finally signified your willingness to sell this culm bank?

Mr. MAY. My willingness to recommend its sale.

Is that correct?—A. That is correct.

Q. And this question:

The CHAIRMAN. You would have had nothing to do with Williams without the influence or suggestion of Judge Archbald?

Mr. MAY. No; I would not.

A. That is correct. Now may I say what I wanted to say a moment ago?

Mr. Manager STERLING. Just a minute.

The WITNESS. It is with reference to what you have asked.

Mr. Manager STERLING. You may make a statement, if you desire to.

The WITNESS. It was only the judgeship added to his influence as a man and in no other way that these answers were made.

Q. (By Mr. Manager STERLING.) As I understand you, then, it was the fact of the judgeship and Robert W. Archbald as a man that had its influence upon the Erie Railroad Co. and the Hillside Coal & Iron Co. that induced you to sell the Katydid

coal dump to Mr. Williams and Mr. Archbald?—A. It certainly added—

Q. Wait; is that true now?—A. I want to explain.

Q. Can you not answer it yes or no?—A. No; I can not.

Mr. Manager STERLING. Go ahead and explain.

A. It simply added to his position; I mean as a man. The thought was not with the expectation—

Q. (By Mr. Manager STERLING.) Not what the thought was with reference to it. What I want to know is, what effect the fact that Mr. Archbald was a judge had upon this transaction?

Mr. WORTHINGTON. Mr. President, I submit when a witness is asked what was operating in his mind he has a right and should be allowed to answer. The witness was asked what he was thinking, and he was proceeding to state what he was thinking when counsel stopped him. I do not think that is right. The witness should be allowed to finish his answer.

Mr. Manager STERLING. I withdraw the objection and will let him answer.

The PRESIDENT pro tempore. The witness will answer the question and make the explanation he desires.

The WITNESS. Only as it added to his influence, only as it added to his standing as a man, did it affect me. I had no thought of influencing him as a judge.

Q. (By Mr. Manager STERLING.) It added what to his standing as a man—the fact that he was a judge?—A. Yes, sir.

Q. I will ask if this question was asked (p. 743):

Mr. RUCKER. I am not asking you about your practice, but I am asking you a direct question: Did the fact of Judge Archbald's making the application, he being a Federal judge, prompt you in whole or in part to make this deal?

Mr. MAY. It might have influenced me.

That is correct?—A. I want to add that—

Q. Wait. Did you answer that question in that way?—A. I did.

Q. Did he ask this question, page 742:

Mr. RUCKER. But when Judge Archbald wrote you and asked if you would sell it, and if so, to fix a price, you immediately set about to do that work, did you not?

Mr. MAY. Yes; I did.

That is correct?—A. That is correct.

Q. And Mr. RUCKER proceeded:

Let me ask you this direct question: He was on the Federal bench at that time?

Mr. MAY. Yes; he was.

That is correct?—A. That is correct.

Q. You knew at the time that the Erie Railroad Co. had a litigation pending in the Commerce Court, of which Judge Archbald was a member, did you not?—A. I did not.

Q. Mr. Richardson knew it, of course, did he not?—A. I do not know.

Q. He is connected with the general solicitor's office there in New York?—A. No, sir.

Q. How?—A. No, sir; he is not connected with the general solicitor's office.

Q. He is in the same office with the general solicitor?—A. He has an office on the same floor.

Q. Right next to Mr. Brownell, the general solicitor?—A. No, sir. It is on the same floor; it is not right next door.

Q. It is all one suite of rooms occupied there by the Erie Railroad Co.?—A. All of the rooms are occupied by the Erie company, but Mr. Brownell's is some distance away.

Q. Mr. Richardson told you that Mr. Brownell had brought Judge Archbald into his office, did he not?—A. No; I do not recall that.

Q. Did you not know at the time that Mr. Brownell had introduced Judge Archbald to Mr. Richardson?—A. No; I do not think I did.

Q. Mr. Brownell, of course, knew what litigation it had pending in the Commerce Court, did he not?—A. Why, presumably.

Q. I will ask you another question, referring to the record at page 742:

Mr. RUCKER. Then, I will ask you if the fact that Judge Archbald was the judge before whom litigation might be taken had anything to do with your determination to sell that property to Mr. Williams at his, Judge Archbald's, request?

Mr. MAY. Well, it might have.

You answered in that way, did you not?—A. Well, it might have, but I do not think it did.

Q. Mr. May, how many personal conversations have you had with Judge Archbald, or did you have with him, about this transaction prior to the time you withdrew this contract from Bradley?—A. I do not remember.

Q. About how many?—A. I could not tell you.

Q. Have you any estimate at all now of how many times you talked with him personally or over the phone about this?—A. No; I have not.

Q. It was quite a number of times, was it not?—A. No, sir; I can not say; I do not know.

Q. Was it many or few?—A. Well, I do not know.

Q. You talked with him more times about it than you did with E. J. Williams, did you not?—A. No; I do not believe I did.

Q. As many times?—A. I do not know. I want to answer your questions, but I can not do it.

Q. How many times did Judge Archbald call you up on the phone about it?—A. I do not know.

Q. Williams brought this first letter to you personally, did he not—that was in March?—A. Yes.

Q. The 31st day of March?—A. Yes; he did.

Q. Then he came back in June and talked to you about it, did he not?—A. I do not remember.

Q. You testified to that before, did you not?—A. I do not remember it if I did. I would like to have the record read.

Q. In any event, Williams told you, did he not, in some conversation, that Judge Archbald was going to New York to see Brownell?—A. Yes, sir.

Q. When did you first learn that he had been to New York?—A. In June.

Q. In June?—A. No; I beg your pardon, not in June—in August.

Q. Judge Archbald was there the 4th of August. You say you did not know it until the 25th of August?—A. I did not know it until the 25th of August.

Q. And that is when Richardson told you that Judge Archbald had been down there and told you in the same conversation to take up the negotiations again?—A. That is right.

Q. Is that the first time you had seen Richardson after the 4th of August?—A. That was the first time.

Q. He told you that he had told Judge Archbald he would have you to do this, did he not?—A. I do not remember what he said.

Q. And did he not also say to you at that time that Mr. Brownell, the general solicitor, had brought Judge Archbald into his office?—A. I do not remember that he did.

Q. I will ask you if the chairman did not ask you this question, reading at page 722 of the record:

The CHAIRMAN. Did you refuse to talk business about the sale of the Katydid culm bank with Williams?

Mr. MAY. Yes; I did.

A. If it is there, I said that; yes, sir.

Q. (Reading:)

The CHAIRMAN. When was it you refused to talk over this matter of the sale of the Katydid culm bank with Williams?

Mr. MAY. I think it was the latter part of June.

That is correct, is it not?—A. If it is there it is correct.

Q. I read further:

The CHAIRMAN. Where was it, and when was it Williams saw you at the time you have just mentioned?

Mr. MAY. I think it was in my office; but I do not remember.

The CHAIRMAN. In the latter part of June, to the best of your recollection?

Mr. MAY. Yes, sir.

A. That is right.

Q. That was after you and Mr. Richardson had first conferred and decided not to sell the coal dump?—A. That is correct.

Q. And it was after Archbald's trip to New York, and after you had been to New York that you notified Archbald to send Williams around and you would let him have it?—A. That is correct.

Mr. Manager STERLING. Mr. President, I think we are through with this witness now, but I would like to reserve the right, if it is the intention to adjourn now, to ask him further questions in the morning, if I see fit.

The PRESIDENT pro tempore. That will be the understanding.

Mr. Manager CLAYTON. Mr. President, before adjourning I will state that the witness for whom the order was taken to-day for the attachment has come, and he is now in the corridor of the Senate Chamber, I believe. I should like him to be brought in and to have him admonished to be present at the session of the court to-morrow and until discharged. I refer to Mr. James H. Rittenhouse.

The PRESIDENT pro tempore. The witness will be brought into the presence of the court.

Mr. James H. Rittenhouse appeared in the Chamber.

The PRESIDENT pro tempore. Mr. Witness, you are brought before the court to be admonished that you must scrupulously obey the orders you have received in the summons to appear here and not to absent yourself without leave of the Senate. You may now retire.

Thereupon Mr. Rittenhouse retired from the Chamber.



The PRESIDENT pro tempore. Does the manager on the part of the House desire that the order for attachment be vacated?

Mr. Manager CLAYTON. I ask that that be the course pursued.

The PRESIDENT pro tempore. The order for the attachment will, under the circumstances, be vacated, unless there be objection. The Chair hears no objection, and it is so ordered.

Mr. CLARK of Wyoming. Mr. President, I offer the order I send to the desk.

The Secretary read as follows:

*Ordered*, That the daily sessions of the Senate, sitting in the trial of impeachment of Robert W. Archbald, shall until otherwise ordered commence at 1 o'clock and 30 minutes in the afternoon and continue until 6 o'clock in the afternoon of each day.

The PRESIDENT pro tempore. Is there objection on the part of any Senator to the adoption of the order? If not, the Chair will consider it as having been unanimously adopted.

Mr. CLARK of Wyoming. I move that the Senate sitting as a Court of Impeachment adjourn.

The motion was agreed to.

The managers on the part of the House of Representatives, the respondent, and the counsel for the respondent retired from the Chamber.

#### DEATH OF REPRESENTATIVE CARL CAREY ANDERSON.

Mr. POMERENE. Mr. President, I ask that the resolutions of the House on the death of my late colleague in that body be laid before the Senate.

The PRESIDENT pro tempore. The Chair lays before the Senate resolutions of the House of Representatives, which will be read.

The Secretary read the resolutions, as follows:

IN THE HOUSE OF REPRESENTATIVES,  
December 2, 1912.

#### House resolution 713.

*Resolved*, That the House has heard with profound sorrow of the death of the Hon. CARL CAREY ANDERSON, a Representative from the State of Ohio.

*Resolved*, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Mr. POMERENE. Mr. President, I offer the following resolution and ask for its adoption.

The PRESIDENT pro tempore. The resolution will be read.

The resolution was read, considered by unanimous consent, and unanimously agreed to, as follows:

#### Senate resolution 403.

*Resolved*, That the Senate has heard with deep sensibility the announcement of the death of the Hon. CARL CAREY ANDERSON, late a Representative from the State of Ohio.

#### DEATH OF REPRESENTATIVE GEORGE HERBERT UTTER.

Mr. WETMORE. I ask the Chair to lay before the Senate the resolutions of the other House on the death of Representative UTTER, of Rhode Island.

The PRESIDENT pro tempore. The Chair lays before the Senate resolutions of the House of Representatives, which will be read.

The Secretary read the resolutions, as follows:

IN THE HOUSE OF REPRESENTATIVES,  
December 2, 1912.

#### House resolution 714.

*Resolved*, That the House has heard with profound sorrow of the death of Hon. GEORGE HERBERT UTTER, late a Member of the House from the State of Rhode Island.

*Resolved*, That the Clerk of the House be directed to transmit a copy of these resolutions to the Senate and send a copy thereof to the family of the deceased.

Mr. WETMORE. Mr. President, I offer the following resolutions, and ask for their adoption.

The PRESIDENT pro tempore. The Senator from Rhode Island offers resolutions, which will be read.

The resolutions were read, considered by unanimous consent, and unanimously agreed to, as follows:

#### Senate resolution 401.

*Resolved*, That the Senate has heard with profound sorrow the announcement of the death of Hon. GEORGE H. UTTER, late a Representative from the State of Rhode Island.

*Resolved*, That the Secretary communicate a copy of these resolutions to the House of Representatives and to the family of the deceased.

#### DEATH OF REPRESENTATIVE RICHARD E. CONNELL.

Mr. ROOT. Mr. President, I ask that the resolutions of the House of Representatives on the death of the late Representative CONNELL may be laid before the Senate.

The PRESIDENT pro tempore. The Chair lays before the Senate resolutions of the House of Representatives, which will be read.

The Secretary read the resolutions, as follows:

IN THE HOUSE OF REPRESENTATIVES,  
December 2, 1912.

#### House resolution 716.

*Resolved*, That the House of Representatives has heard with profound sorrow of the death of the Hon. RICHARD E. CONNELL, late a Representative from the State of New York.

*Resolved*, That the Clerk be directed to communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Mr. ROOT. Mr. President, I offer the following resolutions which I send to the desk, and ask for their present consideration.

The PRESIDENT pro tempore. The Senator from New York offers resolutions, which will be read.

The resolutions were read, considered by unanimous consent, and unanimously agreed to, as follows:

#### Senate resolution 402.

*Resolved*, That the Senate has heard with deep sensibility the announcement of the death of Hon. RICHARD E. CONNELL, late a Representative from the State of New York.

*Resolved*, That as a further mark of respect to the memory of those Representatives whose deaths have been announced the Senate do now adjourn.

Thereupon (at 6 o'clock and 5 minutes p. m.) the Senate adjourned until to-morrow, Friday, December 6, 1912, at 12 o'clock m.

## HOUSE OF REPRESENTATIVES.

THURSDAY, December 5, 1912.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Lord, our God, we come to Thee with glad hearts when we remember that amid the busy whirl and turmoil of life's activities we oftentimes forget Thee, yet Thou art ever mindful of us, and though by devious ways we oftentimes wander from the paths of rectitude and duty Thou art constant in Thy ministrations to us.

Pardon, we beseech Thee, our shortcomings, our weakness, our sins, and hold us close to Thee and life's duties henceforth. And Thine be the praise forever. Amen.

The Journal of the proceedings of yesterday was read and approved.

#### LEAVE OF ABSENCE.

Mr. BROWN, by unanimous consent, was granted leave of absence for three days, on account of illness.

#### PHYSICAL VALUATION OF RAILROADS.

The SPEAKER. When the House adjourned last Tuesday the previous question had been ordered on the bill H. R. 22593, known as the Adamson bill, providing for the physical valuation of railroads, and there was pending a motion to recommit with instructions, offered by the gentleman from Illinois [Mr. MANN], and the gentleman from Tennessee [Mr. SIMS] raised a point of order that the motion to recommit was not in order because it was not germane to the subject matter of the bill.

Unless some gentleman desires to be heard on it, the Chair is ready to rule.

Mr. OLMSTED. Mr. Speaker—

The SPEAKER. The gentleman from Pennsylvania [Mr. OLMSTED] is recognized.

Mr. OLMSTED. Mr. Speaker, so far as I am concerned, I concede at once the high authority of the precedent cited by the gentleman from New York [Mr. FITZGERALD] in support of the proposition that it is not sufficient for the amendment to be germane to the original bill to which this bill is offered as an amendment, but it must be germane to this pending bill. The question is whether this amendment is germane to this bill.

I call attention to page 386, section 780, of the Manual, which treats of the whole subject in this way:

A general subject may be amended by specific propositions of the same class. Thus, the following have been held to be germane: To a bill admitting several Territories into the Union, an amendment adding another Territory; to a bill providing for the construction of buildings in each of two cities, an amendment providing for similar buildings in several other cities; to a resolution embodying two distinct phases of international relationship, an amendment embodying a third.

In section 5838, volume 5, of Hinds' Precedents of the House of Representatives appears a ruling that—

To a bill admitting several Territories into the Union, an amendment adding another Territory is germane.

And, then, in the next section—5839—it says:

To a resolution embodying two distinct phases of international relationship an amendment embodying a third was held to be germane.

There was pending in that case a resolution setting forth that it was an imperative duty, in the interest of humanity, to ex-

press the earnest hope that the European concert would do certain things in relation to the fanaticism and lawless violence prevalent in Turkey. The resolution then pending combined three resolutions in one. The first one was as I have stated. The second was—

That the President be requested to communicate these resolutions to the Governments of Great Britain, Germany, Austria, France, Italy, and Russia.

And, further:

That the Senate of the United States, the House of Representatives concurring, will support the President in the most vigorous action he may take for the protection and security of American citizens in Turkey.

Then Mr. Hepburn, of Iowa, offered an amendment, as follows:

That, for the purpose of emphasizing our protest against the murders and outrages above recited, the President is directed to furnish the Turkish minister his dismissal as a representative of the Sultan at this Capital, and to at once terminate all diplomatic relations with the Government of Turkey.

That was an entirely new, a different, and distinct subject.

A point of order was made against it by Mr. McCreary, of Kentucky, which was overruled by Speaker Reed, presumably upon the same ground as these other cases to which I have referred were ruled, that such resolution embracing more than one subject it was germane to add still another subject.

Then, in section 5840 it was held that to a bill providing for the construction of a building in each of two cities an amendment providing for similar buildings in other cities would be germane. That was decided longer ago by Speaker Banks, of Massachusetts.

Now, the question, it seems to me, is whether this pending bill contains more than one subject, more than one substantive proposition. If it does, then a third or new substantive proposition would be germane and in order under the rulings which I have cited. Does this bill contain more than one substantive proposition?

The SPEAKER. Is that the rule on that—as to the substantive propositions? What is the subject of this Adamson bill?

Mr. OLMSTED. This bill has at least two subjects. The first provides for the physical valuation of the property of common carriers. That is one separate and distinct subject. The Interstate Commerce Commission is to take testimony and determine the value of the property of common carriers. The common carriers may appeal or protest. Then a hearing is awarded upon the protest, and after the hearing the commission is to fix finally the physical value of the property of the common carrier.

That is one proposition. Then the bill contains another. It empowers the commission to investigate as to the amounts and dates of all bonds and stocks outstanding. That is a separate and distinct proposition contained in this bill. The physical valuation of railroads has nothing to do with stocks and bonds, and stocks and bonds have nothing to do with the physical valuation of the railroads. The commission is to find absolutely and determine the value of the physical property; and in addition to that—an entirely separate and distinct proposition—it is to investigate concerning stocks and bonds.

Mr. FITZGERALD. Mr. Speaker, will the gentleman yield for a question?

Mr. OLMSTED. Certainly.

Mr. FITZGERALD. The Adamson bill proposes to add a section to the existing law, and in this section is embraced a scheme which is considered essential in order to enable the Interstate Commerce Commission properly to determine whether the rates are reasonable. They are parts of one scheme, and not two independent substantive propositions.

And has not the gentleman, in quoting his authorities, entirely ignored all the decisions, including one by himself, which have established the rule that when a bill proposes to amend an existing law in certain particulars, amendments that might be germane to other provisions of the law but are not intimately related to the thing before the House are not germane to that proposition?

Mr. OLMSTED. No, Mr. Speaker; I have not ignored that proposition. I referred to it particularly at the outset. Perhaps the gentleman from New York was not listening.

Mr. FITZGERALD. I was listening carefully.

Mr. OLMSTED. I admitted that authority in support of the proposition that the proposed amendment must be germane to this bill. I concede that proposition. In fact, as the gentleman from New York has stated, I made such a ruling myself when occupying the chair upon a former occasion. The question is, Does this bill itself contain more than one proposition? Now, does it? First, there is the physical valuation of the property of common carriers to be determined by the Interstate Commerce Commission. That is one thing complete in itself. Then there is a second proposi-

tion, that the Interstate Commerce Commission shall determine as to the amount of bonds outstanding and the names of the stockholders and bondholders, and so forth. The names of the stockholders have nothing to do with the physical valuation of the property of the railroad or with the fixing of rates of that railroad, nor have the names of the bondholders. The commission is instructed to—

find and report the facts as to the connection of any bank or banker, capitalist or association of capitalists, or financial institutions or holding company with the ownership, manipulation, management, or control of any stocks and bonds of any such company.

That has nothing to do with the fixing of rates.

This amendment of the gentleman from Illinois [Mr. MANN] proposes to go further, and after the commission has ascertained these facts about stocks and bonds, provide against the fictitious issue of stocks and bonds in the future—a most important proposition, and, if the gentleman from New York [Mr. FITZGERALD] please, fully as important as touching upon the question of rates as anything involved in this bill or any other bill, because if we stop the fictitious issuance of stocks and bonds and the watering of stocks and bonds we stop the inflation of the capital upon which interest and dividends are paid, and rates must be fixed proportionately. So that even upon that argument this proposition to stop fictitious issuance of stocks and bonds may be held germane.

But what I suggest to the Chair is that this bill already containing two or more propositions, an amendment introducing a still further proposition is in order under the rule.

The SPEAKER. The Chair will ask the gentleman a question. Has this Adamson bill any provision in it whatever about the issuance of bonds and stocks?

Mr. OLMSTED. Not about the issuance of bonds.

The SPEAKER. The Mann amendment has entirely to do with the issuance of bonds and stocks, has it not?

Mr. OLMSTED. Substantially so; yes.

The SPEAKER. Does the gentleman contend that if a bill contains two different substantive propositions, that authorizes a general omnium gatherum of everything that everybody wants put in it on the subject?

Mr. OLMSTED. That is the effect of the rulings which I have cited, particularly the ruling of Mr. Speaker Reed, permitting as germane an amendment canceling the commission of the Turkish ambassador.

The SPEAKER. What was the main proposition in that resolution?

Mr. OLMSTED. It was expressing the sentiments of the Senate and House, deploring the outrages which were being perpetrated in Turkey, and another resolution requiring these sentiments to be expressed to the Governments of Great Britain, France, and other countries; and then an amendment offered by the gentleman from Iowa, Mr. Hepburn, requesting the President to cancel the commission of the Turkish representative at this Capital was declared to be in order.

The SPEAKER. But those things were on the same subject.

Mr. OLMSTED. I think not. There was nothing in the original resolution about the Turkish ambassador, or severing relations with the Turkish Government.

The SPEAKER. The original resolution expressed our horror of the way that the Turks were treating people.

Mr. OLMSTED. That is correct.

The SPEAKER. And the Hepburn amendment simply emphasized our opinion of it by adding something that made it effective.

Mr. OLMSTED. This proposal emphasizes the ascertainment of stocks and bonds and the physical valuation, and gives some effect to this bill by providing against the future issuance of stocks and bonds except under certain conditions. The investigation as to stocks and bonds is already provided for in the bill. The amendment goes a step further in the same direction and makes the bill effective just as the Hepburn amendment made the Turkish resolution effective by the introduction of a new proposition.

Mr. GARRETT. Mr. Speaker, if the gentleman will permit, does not the gentleman from Pennsylvania think that even granting the force of the precedents which he has cited a different philosophy applies to legislation than to the passage of resolutions that have no legal effect?

Mr. OLMSTED. I do not think there is any difference in principle, but I have cited several instances which applied directly to legislation. For instance, if we had here a bill granting a pension to John Smith, simply that and nothing more, an amendment granting a pension to John Jones would be held not to be germane, but if the original bill granted a pension to John Smith and another pension to John Jones, it would be held under the rulings that an amendment to pension also John Williams would be in order.



Mr. SIMS. Will the gentleman yield for a question?

Mr. OLMSTED. Yes.

Mr. SIMS. Suppose that we were back previous to 1860 in this country, and were considering a bill providing for the enumeration of slaves, or telling how they should be enumerated, as an amendment to an act already in existence. Does the gentleman hold that an amendment abolishing slavery would be in order upon such a bill as that?

Mr. OLMSTED. No; because that bill would contain simply one proposition, the enumeration of slaves, and the abolition of slavery would not be germane to a single proposition to take a census of slaves.

Mr. SIMS. And this bill has only one object and purpose, and that is the valuation of railroads. Then admitting that the information authorized to be acquired by ascertaining the amount of outstanding bonds and stocks is germane to ascertaining the value of the property of the railroads, how, then, can a bill proposing to regulate the issuance of stocks and bonds, directed against railroads themselves, be germane to a mere inquiry as to the amount of outstanding bonds?

Mr. OLMSTED. I have tried to explain that this bill contains more than one proposition. It is to a certain extent a general bill. It provides for the physical valuation of railroads. That is one thing that is definite and complete. After that has been provided, it provides for the ascertainment of the names of stockholders and bondholders and the amount of stocks and bonds and all that sort of thing, and the relation of banks to the companies. I submit that under the precedents it is germane to add a provision that, as the result of that investigation, bonds and stocks shall be issued hereafter only on certain conditions and subject to certain limitations, and with the consent of the Interstate Commerce Commission.

Mr. SIMS. Does not the amendment offered in this case have to do with the issuance in future, and not with the fact of how many have already been issued?

Mr. OLMSTED. It does.

Mr. SIMS. How can it be any more germane to the second subject of the bill than to the first?

Mr. OLMSTED. I have tried to explain that when the bill itself contains more than one proposition, under the uniform rulings of different Speakers it is germane to add a new proposition.

Mr. SIMS. To add one that is not germane to any proposition in the bill?

Mr. OLMSTED. It need not be germane to any proposition in the bill. But I submit that this is germane to a proposition in the bill and is on the same subject. If you say all this is to have relation to fixing the rates, nothing is more important in fixing the rates than that there shall be no fictitious issuance of stocks and bonds. I submit these observations for the consideration of the Chair.

Mr. GREEN of Iowa. Mr. Speaker, the gentleman from Illinois, in his remarks upon this point of order day before yesterday, contended, first, that this amendment which he had proposed was in order because it was germane to the act which was proposed to be amended, and, second, because it was germane to the bill which we now have before us.

I shall not discuss the first proposition he advanced, but will speak very briefly indeed in support of the second contention which he made. As has already been stated by the gentleman from Pennsylvania [Mr. OLMSTED], this bill contains two different propositions. The first relates to the physical valuation of railroads and the second relates to the issuance of stocks and bonds. It provides in the most sweeping and specific terms for the investigation into the amount of stocks and bonds that have been issued, the purpose to which the moneys received therefor have been applied, the persons who have been connected with the issuance of stocks and bonds, any manipulation thereof, and the whole history of the transaction; and then it goes further and provides that the railroad corporations themselves must furnish for this purpose, among others, full access to their books, records, papers, documents of all kinds, and further provides that the commission may make rules and regulations for the enforcement of the provisions in this bill.

Now, what is the object of this provision with reference to the amount of stocks and bonds issued here and the manner in which they have been issued? Abstractly considered, neither this House nor any person in the United States cares how much stocks and bonds have been issued in the past. The money has been spent, it has gone, and the liens created must stand and be recognized as valid obligations.

The argument here was when the bill was under discussion that publicity thereby obtained would be a restraining factor in the issuance of stocks and bonds in the future, and in a measure control it.

I wish to go further in my argument and show that the bill undertakes to exercise control over the issuance of stocks and bonds; to go further and show that the amendment offered by the gentleman from Illinois goes further and is relevant to the subject which it seeks to amend, and therefore, in dictionary terms at least, is germane thereto.

As I said, I wish to show that this bill, in fact, provides for the control over the issuance of stocks and bonds. Hereafter, if this bill passes, no stocks and bonds can be issued without the commission has the right to call for and report upon them, without the commission has the right to investigate into the issuance of them and the manner in which the proceeds have been spent. Up to this time, and as a matter of circumstance now, the commission has nothing whatever to do with the issuance of stocks and bonds, except that it may bear in some remote degree on some other question sought to be investigated.

The SPEAKER. The Chair will ask the gentleman from Iowa to point out in the bill anything that has to do with the future issuance of stocks and bonds.

Mr. GREEN of Iowa. If the Chair will pardon me, I did not suppose it would be contended that the matters provided for in this bill with reference to the present stocks and bonds would not apply to stocks and bonds issued in the future.

The SPEAKER. Is there anything in the Adamson bill about the issuance of stocks and bonds? If there is, I wish the gentleman would point it out.

Mr. GREEN of Iowa. In case any stocks and bonds are issued in the future, I hardly think it would be contended that thereupon the Interstate Commerce Commission will not have the right, if the bill passes, to investigate the issuance of stocks and bonds and require the railway company to furnish a full report, and then to make orders, regulations, and rules which will have the force of a law.

Of course, if it is contended here and if the Chair should hold that these provisions with reference to stocks and bonds had application only to stocks and bonds which have been heretofore issued, I shall have to admit that my argument falls to the ground.

Mr. SIMS. It can only have reference to the stocks and bonds outstanding at the time the investigation is made, and could not possibly apply to subsequent stock and bond issues unless there is a subsequent investigation.

Mr. GREEN of Iowa. Will the gentleman from Tennessee say that if this act is passed and stocks and bonds are subsequently issued by railroad companies under and by virtue of this act, the commission will have no right to investigate as to the issuance of those stocks and bonds?

Mr. SIMS. Incidentally to making the physical valuation—

Mr. GREEN of Iowa. But the gentleman is not answering the question at all. The question can be answered by yes or no.

Mr. SIMS. Under this law it does not make any investigation conditional and precedent to the issuance of stocks and bonds.

Mr. GREEN of Iowa. It does not. That is true, but this amendment which is offered by the gentleman from Illinois [Mr. MANN] simply seeks to further control, to exercise a further act of control. This investigation is an act of control over the issuance of stocks and bonds.

Mr. SIMS. Oh, no.

Mr. GREEN of Iowa. It must be, necessarily.

Mr. SIMS. Not at all.

Mr. GREEN of Iowa. And the amendment of the gentleman from Illinois goes only one step further toward the process of controlling it.

Mr. CULLOP. Mr. Speaker, will the gentleman yield?

Mr. GREEN of Iowa. Certainly.

Mr. CULLOP. From the tenor of the gentleman's argument I take it he misapprehends the purpose of the measure. It is for the purpose of changing the method by which freight rates or transportation tolls are now fixed, and it has nothing to do, so far as the amount of overcapitalization or overbonded indebtedness is concerned, with the fixing of rates at all. That is not the subject matter of the bill. It is upon the actual valuation of the physical property and not its capital stock or its bonded indebtedness. That is the purpose and object of the measure, and so far as the bonded indebtedness or capital stock is concerned, if this measure passes, they do not enter into the consideration as an element in the fixing of the transportation tolls in any manner whatever. Therefore, this amendment offered is not germane to either the text or the subject matter of the proposed measure.

The SPEAKER. The Chair would like to ask the gentleman from Indiana a question. His contention in this matter, as I understand it, is that this Adamson bill is solely for the purpose of fixing the physical valuation of railroads and that part



which is in the bill about stocks and bonds is simply to throw light on that subject—

Mr. CULLOP. Only, and for no other purpose.

The SPEAKER. And that the Mann amendment treats with an entirely different subject of controlling the issuance of stocks and bonds.

Mr. CULLOP. That is it exactly. That is my contention and has been all the way through.

Mr. GREEN of Iowa. Mr. Speaker, the remarks of the gentleman from Indiana in the general discussion of the bill are not, so far as I know, yet in the Record; but if I mistake not he, or at least some other gentlemen who were speaking at the time, contended in that discussion that the object and purpose of this provision to which I have alluded was altogether different from what he now sees; and, indeed, how could it be otherwise? What has the amount of stocks and bonds to be issued to do with the physical valuation of a railway or any of its property?

Mr. CULLOP. Mr. Speaker, the gentleman misapprehended my statement of that question if he refers to me. What I said was, if we resorted to the physical valuation of transportation property for the purpose of fixing rates, that as an incidental matter following from that it would destroy as a natural result or consequence the overcapitalization or the making of over-bonded indebtedness in the future, and that it would eliminate that feature as a speculative matter in dealing with these properties on the market. This result will follow as an inevitable conclusion. That was my statement.

Mr. GREEN of Iowa. That is exactly what the gentleman was arguing before.

Mr. CULLOP. It was the effect and not the language that I had in mind.

Mr. GREEN of Iowa. That the purpose and object of these provisions was to prevent overcapitalization and that that would be the effect, and now I think I have shown here by this act of investigation, by this act of summoning as they may the evidence of clerks of the railways, or of any party connected with it, to give information regarding that, to give information with relation to stocks and bonds, they must and do exercise a control over the issuance of them. For that reason the amendment introduced by the gentleman from Illinois is germane.

Mr. STEVENS of Minnesota. Mr. Speaker, before the Chair finally determines the point of order he should have in mind the history of this legislation. The records of the House will show that during the last session the majority of this House directed a general scheme of investigations of alleged wrongdoing of various large business interests of the country, and I think the report of the Committee on Rules on this subject divided the work of investigation among several of the committees of the House, and among them was that the Committee on Interstate and Foreign Commerce should investigate this subject. Different sorts of investigations have been had. I think some are pending, and some very important reports have been made. One of the investigations concerning the financing and issuance of securities by common carriers, as just stated, was directed to be made by the Committee on Interstate and Foreign Commerce, and I think that the report of the Committee on Rules will so show. The records of the Committee on Interstate and Foreign Commerce, which are public and open to inspection, will show that the committee, after some discussion, thought it best to conduct its share of the investigation not by means of summoning witnesses itself to ascertain what facts there were relative to the subject matter and what plans and reports should be made, but by directing the Interstate Commerce Commission itself, which had the experience and the machinery, to make the investigation and to report its views upon the methods to right some of the wrongs which would be shown by such an investigation. The hearings before that committee will show such to be the fact, and in the process of its work the Committee on Interstate and Foreign Commerce had this bill as a basis and measure of some part of what it ought to do. Now, the investigation directed by the House concerned not only the alleged wrongs which had previously existed, but the method and plan of righting those wrongs, in order to properly subserve the welfare of the people, as might be shown by the investigation. So this measure was planned to accomplish these results. The records show it was so reported, and it came before the House to meet the report of the Committee on Rules for such an investigation and the submission of a proper plan for a righting of the different wrongs shown and known to exist in the issuance of securities by common carriers. Now, if the Chair will examine the text of the bill and consider the powers of the Interstate Commerce Commission under it, I think the question he addressed to the gentleman from Iowa [Mr. GREEN] will be answered. On page 2, lines 1 and 2, of the bill:

That the commission shall investigate and ascertain the value of the property.

Of course "property" means not only the physical property but it means every sort of property, and the value is measured not only by the cost of reproduction, not only by the amount that has been expended in its construction, but by the market value as evidenced by the outstanding securities. Now, the other committees, upon their investigations and in their reports, I think, have invariably reported to us some method—at least they reported different means and different plans of legislation by which the alleged wrongs shown by their investigation shall be righted. This bill does exactly that same thing, except we contend that it does not go far enough, but there is enough in the bill as a basis for the legislation which ought to be had, under the investigation ordered by the House, to warrant the amendment of the gentleman from Illinois [Mr. MANN]. In fixing the value of the property, of course, it would include the market value of the stocks and bonds. The bill provides the history of these stocks and bonds shall be investigated and reported, and if evils be disclosed the remedies for those evils should be ascertained and set forth in the legislation, and the remedies can be carried into effect by the very organization, by the very body, provided by this bill to conduct the investigation. The very purpose of the investigation directed by this House, the very purpose of the investigation directed by this measure and by the committee, can not be made fully effective unless by some such amendment as is proposed by the gentleman from Illinois and as was proposed by the minority of the committee in the process of its hearings and consideration. And for that reason the history of the bill shows that the whole subject matter is germane; that it was considered; that this House wanted it so considered; and there is enough in the bill under the common acceptance of construction, under the construction of the courts as to the definition of values, under the language of the bill, to take that additional step and provide a remedy for the wrongs which will be found to exist by the Interstate Commerce Commission in conducting its investigation.

The SPEAKER. The Chair would like to ask the gentleman from Minnesota a question. Now, if that is true—and the Chair has no doubt it is—what is the reason the committee did not report some such proposition as the Mann proposition in the bill?

Mr. STEVENS of Minnesota. The matter was discussed by the committee, Mr. Speaker, and the majority of the committee took the responsibility of reporting the bill in its present form. The records of the committee will show the minority did propose this identical plan suggested by the gentleman from Illinois and the majority, for reasons best known to themselves, refused to consider it.

Mr. FITZGERALD. That hardly has any bearing upon the question of whether the Mann amendment is in order on the pending bill.

Mr. SIMS. Mr. Speaker—

The SPEAKER. The Chair will not bother the gentleman from Tennessee to make an argument on his side.

Mr. SIMS. I was only going to refer to the history to which the gentleman from Minnesota referred.

The SPEAKER. The Chair has investigated the parliamentary phase of this question fully. We have not anything to do here with the merits of the substance of the motion to recommit which was submitted by the gentleman from Illinois [Mr. MANN]. If that proposition were submitted in a bill, or if the Chair thought it was germane, he would be very much in favor of it. It is not necessary in this opinion, but it is stated anyhow, that the issue of stocks and bonds by public-service corporations ought to be regulated by law. That, however, has nothing to do with this preliminary question which is pending here now.

The rule about motions to recommit is this: A proposition is not germane in a motion to recommit unless it would have been germane as an amendment to the bill.

The authorities all run one way. I have investigated them carefully. The proposition laid down by the gentleman from Pennsylvania [Mr. OLMSTED] is partly correct and partly incorrect. It does not go to the extent which he undertook to make it go. The rule is not that, if there are two substantive propositions in a bill you can add anything else to it. The rule is that on such a question as admitting Territories into the Union as States; if you were trying to admit Idaho, for instance, alone, you could not add Montana and Washington, and so forth. But if you turn it around the other way and make the bill general in its character to admit Montana and Idaho and Washington, then you might add to it, as an amendment, Wyoming, for instance.

At one time there was a proposition pending to appropriate money to destroy the boll weevil and the gentleman from Massachusetts [Mr. GILLET] offered a proposition to add some money to destroy the gypsy moth. Mr. Speaker CANNON held that there



was no connection between the two propositions, and ruled out the amendment of the gentleman from Massachusetts.

There have been divers and sundry rulings of that kind. In the case cited by the gentleman from Pennsylvania [Mr. OLINSTEAD], when the House was expressing its opinion as to what the Turks were doing to the Christians over in Turkey, that was the subject matter. The resolution was to express our horror of what they were doing, and the gentleman from Iowa, Mr. Hepburn, offered an amendment which was more emphatic in its expression of horror than any of the rest, proposing to give the Turkish ambassador his passport. Consequently it was held to be germane.

During the term of the present Speaker a proposition was up to prohibit the trading in cotton futures on the exchanges of the country. Some Member offered an amendment to that proposition to include wheat and corn and other products. The Chair ruled it out by citing all these precedents which he has just cited and some additional ones. The Chair was more in favor of prohibiting the dealing in futures in wheat and corn than on cotton, because he has more to do with those products, but that fact did not have anything to do with the parliamentary point. Therefore he sustained the point of order made against the germaneness of the amendment.

The situation here is that the Committee on Interstate and Foreign Commerce brings in a bill which deals with one subject, and one subject only, and that is to fix a physical valuation of railroads. The only reason that they mention bonds or stocks in the bill at all is that, whether right or wrong, in this country we have fallen into the habit of estimating the value of a railroad by counting in both bonds and stocks, one being property and the other being debts. So that evidently the committee, in reporting this bill, thought that out of deference to the rule which prevails in this country we ought to find out what stocks and bonds have been issued. But this bill as reported nowhere provides or says a word about authorizing or directing anybody to issue stocks and bonds. The motion of the gentleman from Illinois [Mr. MANN] to recommit with instructions has entirely to do with the future issuance of stocks and bonds. It seems to be a very elaborate and perfect scheme. The Chair will say that for it. But I have asked the gentlemen who have argued this question in favor of the germaneness of this motion to recommit to point out in the bill a single word or clause that makes the resolution of the gentleman from Illinois [Mr. MANN] germane.

A case in point arose here—and it happened to be on the 1st day of April, 1910—and I will quote from the argument of the gentleman from Illinois [Mr. MANN] in that case, which seems to be absolutely unanswerable. He said:

Mr. Speaker, the gentleman from New York [Mr. FITZGERALD] referred to amendment 78 of the Senate, and it has been referred to by other gentlemen, as an amendment to the tariff law. It is not an amendment to the tariff. It is a provision which relates to reports required by that law.

And that is what it was, too.

But the provision in the Senate amendment is neither in form nor substance an amendment to the tariff law. Now, I insist that the amendment of the gentleman from New York [Mr. FITZGERALD] is not germane to the Senate amendment.

The Senate amendment provided that a certain section—section 78, the Chair believes it was—in the Payne tariff law about ascertaining the property that the corporations had, in order to levy that tax on them, should only be made public on a resolution of the House or Senate, whereupon Mr. FITZGERALD, of New York, offered an amendment to repeal the entire Payne tariff law. Mr. MANN said:

An amendment to repeal the tariff act is not germane to that Senate amendment.

Mr. MANN, continuing, said further:

The gentleman from New York is too well acquainted with the rules of the House not to know that this amendment which he offers is not germane. If the gentleman from New York, while the Senate amendment was before the House, had proposed an amendment similar to that which he now offers to this amendment, any chairman would have held it out of order as not a germane amendment to the proposition of the Senate. If the gentleman could provide for a repeal of the entire tariff act under the Senate amendment, then he could have provided for a repeal of a particular part of the tariff act. If it be in order to offer an amendment under the Senate amendment to repeal the entire tariff act, it will be in order—and I wish it were—to repeal the duty on wood pulp and paper [applause], because if it had been in order I should have offered such an amendment.

After a great deal of argument on both sides by distinguished parliamentarians, Mr. Speaker CANNON rendered the following opinion:

The SPEAKER. The Chair will cause to be read the amendment which has been agreed to.

The Clerk read as follows:

"Concur with the following amendment:

"Strike out all of amendment No. 78 and insert instead thereof the following:

"For classifying, indexing, exhibiting, and properly caring for the returns of all corporations required by section 38 of an act entitled 'An act to provide revenue, equalize duties, encourage the industries

of the United States, and for other purposes,' approved August 5, 1909, including the employment in the District of Columbia of such clerical and other personal services, and for rent of such quarters as may be necessary, \$25,000: *Provided*, That any and all such returns shall be open to inspection only upon the order of the President, under rules and regulations to be prescribed by the Secretary of the Treasury and approved by the President."

Then the Speaker said:

The SPEAKER. The House will notice that this is a proposition or an amendment covering one specific subject in the tariff act—as to the returns made by corporations. It does not relate to the amount of the tax, the kind of corporations to be levied upon, the time of levying, or touching any other matter, but only and simply the returns of corporations.

Upon the motion to concur with an amendment, which amendment provides for striking out of the Senate amendment and inserting what has just been read, the previous question was ordered, and the House has, on a ye-a-and-nay vote, agreed to the amendment, so that is a closed incident.

Now, the argument of the gentleman from New York brings up a very ingenious theory—

It will be observed that these two gentlemen have swapped places. [Laughter.]

But the Chair does not feel called upon to decide upon his theory, because it has been held—and, so far as the Chair has been able to ascertain, uniformly held—that where there is a proposition to amend a law in one particular—a specific particular—a proposition to amend generally or to repeal the law would not be germane. The Chair, after a hasty examination, finds as follows:

Hinds' Precedents, volume 5, page 411:

"5806. To a bill amendatory of an existing law as to one specific particular an amendment relating to the terms of the law rather than to those of the bill was held not to be germane."

Under that decision, if the amendment of the gentleman had been offered before the previous question operated, it would not have been in order, as the precedents are uniform that you can not by a motion to recommit make that in order which would not have been in order if offered as an amendment. Therefore the Chair sustains the point of order.

And the Chair sustains the point of order made by the gentleman from Tennessee [Mr. SIMS] in this case.

Mr. MANN. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. The gentleman from Illinois [Mr. MANN] offers a motion to recommit.

Mr. FITZGERALD. I make the point of order, Mr. Speaker, that it is too late, the previous question having been ordered.

Mr. MANN. Ordered on what?

Mr. SIMS. On the passage of the bill. It is too late.

The SPEAKER. The Clerk will report the motion, and then we shall see.

The Clerk read as follows:

Mr. MANN moves to recommit the bill H. R. 22593, "To amend an act entitled 'An act to regulate commerce,' approved February 4, 1887, and all acts amendatory thereof providing for physical valuation of the property of carriers subject thereto and securing information concerning their stocks and bonds and boards of directors," to the Committee on Interstate and Foreign Commerce, with directions to that committee to report said bill back to the House forthwith, with the following amendment, to wit: Insert, page 3, after line 21, the following:

"Said investigation and report shall also fully cover as far as practicable questions pertaining to the issuance of stocks and bonds by common carrier corporations subject to the provisions of this act and the power of Congress to regulate or affect the same and particularly the power of Congress to prevent the issuance of stocks and bonds by such corporations without full value being received therefor, and to require the application of the proceeds from the sale of stocks and bonds to be actually invested for the benefit of the corporation to the end that interstate railroad rates may be based upon reasonable and honest capitalization, and to the further end that the investing public may have full knowledge concerning proposed investments so that such corporations may be able to obtain money on better terms and thereby give better service at lower rates."

Mr. CULLOP. Mr. Speaker, I desire to make a point of order against the motion, for two reasons. The first is that the previous question has been ordered on the passage of the bill, and all that was reserved when that order was made was the right to rule on the point of order which was pending at the time that the previous question was ordered; second, that the proposed amendment is not germane to the bill. In other words, it is the same objection which lay against the other motion to recommit. Those are the two reasons for which I make the point of order.

Mr. MANN. Mr. Speaker—

The SPEAKER. The Chair will hear the gentleman from Illinois on this point of order.

Mr. MANN. Mr. Speaker, I will not take the time to enter into an extended discussion of the first point of order made by the gentleman from Indiana [Mr. CULLOP], because the rules expressly provide that a motion to recommit shall be in order after the previous question is ordered on the bill; and I direct the attention of the gentleman from Indiana to that provision of the rule, because it is wholly unnecessary to direct the attention of the Chair to that provision of the rule. The previous question does not operate upon a motion to recommit until the motion is before the House.

On the second proposition, as to whether this is germane to the bill, I call the attention of the Speaker to what is proposed by the bill.

The Speaker a moment ago, in making the ruling which he made, stated that the purpose of the bill was to make a physical valuation of railroad property. The Speaker did not hear the discussion on the bill in Committee of the Whole, probably. While the title of the bill refers to the physical valuation of the property, the bill itself provides that the commission shall investigate and ascertain the value of the property of every common carrier; and as was clearly brought out in the discussion in the Committee of the Whole, the investigation is not confined to the valuation of the physical property, because the Committee of the Whole, under the lead of the distinguished gentleman from Tennessee [Mr. SIMS], in charge of the bill, voted down a proposition to confine the investigation to the value of the physical property, for the gentleman from Tennessee [Mr. SIMS] contended that the purpose of the bill was much broader than that, and it is.

I call the attention of the Speaker to the provisions of the bill in reference to the investigation and report:

They shall also show, as the commission may deem necessary, the history of the organization of the present corporation operating such property.

The SPEAKER. Where is the gentleman reading?

Mr. MANN. At the bottom of page 2 and the top of page 3.

Of the present corporation operating such property or of any previous corporation operating such property in such detail as may be deemed necessary, and any increases or decreases of capital stock in any reorganizations, and moneys received by any of such corporations by reason of any issues of stocks, bonds, or other securities, or from the net and gross earnings of such companies, and how the moneys were expended or paid out for the purposes of such payments.

The said investigation and report shall also show the amounts and dates of all bonds outstanding against each public-service corporation and the amount paid therefor, and the names of all stockholders and bondholders, with the amount held by each, and also the name of each director on each board of directors; and find and report the facts as to the connection of any bank or banker, capitalist or association of capitalists, or financial institution or holding company with the ownership, manipulation, management, or control of any stocks and bonds of any such company, and the transactions and connections of any bank or banker, financier, financial institution, or holding company with the reorganization of any such company in recent years.

Now, Mr. Speaker, these provisions of the bill do not, as was intimated by gentlemen, confine the investigation to the issuance of stocks and bonds now outstanding. It will be years before the full investigation of these matters is completed by the Interstate Commerce Commission, and the commission will be directed and is directed in each of its reports to bring its investigations down to the date when the investigation is made.

Mr. OLMSTED. Will the gentleman from Illinois permit me?

Mr. MANN. Yes.

Mr. OLMSTED. I call the gentleman's attention also to the paragraph in the middle of page 5, which contemplates keeping the commission informed with reference to future changes and conditions.

Mr. MANN. I was just going to read that to the Speaker.

Mr. OLMSTED. It apparently contemplates reports from time to time.

Mr. MANN. On page 5 of the bill, as suggested by the gentleman from Pennsylvania, is the following:

Upon the completion of the valuation herein provided for the commission shall thereafter in like manner keep itself informed of all extensions and improvements or other changes in the condition and value of the property of all common carriers, and shall ascertain the value thereof, and shall from time to time, as may be required for the proper regulation of such common carriers under the provisions of this act, revise and correct its valuation of property, which shall be reported to Congress at the beginning of each regular session.

This bill as it stands endeavors to confer upon the Interstate Commerce Commission full power in reference to future issues of stocks and bonds, so far as obtaining information is concerned, and reporting it to Congress. The amendment which I have offered directs the commission to include in its investigation and report matters relating, so far as practicable, to the issuance of stocks and bonds of these common-carrier corporations for the purpose of affecting railroad rates and requiring that the issuance of stocks and bonds shall, as a result of the investigation of the Interstate Commerce Commission, be reported to Congress, to the end that in the future we may be able to have information by which we may require that stocks and bonds shall only be issued for actual value, and when issued for actual value received shall be properly invested, to the end of regulating the rates of the railroads.

Mr. FITZGERALD. Will the gentleman yield?

Mr. MANN. Certainly.

Mr. FITZGERALD. The gentleman's contention is that his amendment merely extends the character of the investigation?

Mr. MANN. That is all.

Mr. FITZGERALD. Does it not do more than that?

Mr. MANN. It does not.

Mr. FITZGERALD. I suggest to the gentleman, although it may not have been his purpose, that it not only extends the

scope of the investigation, but it confers upon the Interstate Commerce Commission the power to inquire and investigate into the issuance of stocks and bonds in a certain way.

Mr. MANN. Not at all. It says:

Said investigation and report shall also fully cover as far as practicable questions pertaining to the issuance of stocks and bonds by common-carrier corporations subject to the provisions of this act and the power of Congress to regulate or affect the same and particularly the power of Congress to prevent the issuance of stocks and bonds by such corporations without full value being received therefor.

Mr. FITZGERALD. If the gentleman will look at the punctuation—

Mr. MANN. I have not only looked at the punctuation, but I punctuated it.

Mr. FITZGERALD. Apparently very ingenuously.

Mr. MANN. There is nothing ingenuous about it at all.

Mr. FITZGERALD. There is no connection between the inquiry as to the proceeds of the issuance of the stocks and bonds and the investigations that are outlined.

Mr. MANN. Oh, the gentleman has not read the amendment carefully.

Mr. FITZGERALD. I have read it carefully.

Mr. MANN. Very well; the gentleman has read it carefully and lacks appreciation of what it contains. The gentleman can take his choice.

Mr. FITZGERALD. Sometimes it takes more genius than I profess to have to understand some of the amendments drafted and proposed by the gentleman from Illinois.

Mr. MANN. The gentleman from New York lacks a great deal of appreciation of propositions sometimes. I can not expect to bring myself to the point where I can write everything so that it will be perfectly plain to the gentleman from New York.

Mr. FITZGERALD. That is an ambition which, if it could be realized by the gentleman from Illinois, would give him great happiness.

Mr. SIMS. Will the gentleman from Illinois yield?

Mr. MANN. Certainly.

Mr. SIMS. Does not this amendment offered by the gentleman from Illinois require that the commission shall make an investigation as to the proceeds of the issuance of the stocks and bonds?

Mr. MANN. Not at all. The investigation and report is to cover, as far as practicable, questions relating to the issuance of stocks and bonds by the corporation and the power of Congress to regulate or affect the same, and particularly the power of Congress to prevent the issuance of stocks and bonds by such corporations without full value being received therefor.

Mr. SIMS. The object of the gentleman's amendment is to authorize the commission to report as to the method to be hereafter pursued in the application of funds growing out of the sale of stocks and bonds.

Mr. MANN. Certainly. The object of the amendment is to have the commission investigate the matter of the issuance of stocks and bonds, with a view of reporting to Congress, so that Congress may hereafter legislate upon the subject.

Mr. SIMS. Does the gentleman consider that as germane to a proposition to ascertain the value—the existing value—of the amount of outstanding stocks and bonds, to investigate what shall be done with the proceeds of stocks and bonds hereafter issued?

Mr. MANN. Certainly I do. Your own bill provides for the report of the stocks and bonds which may be issued between now and the time when the final report is made upon the last railroad, and even then after that, when stocks and bonds are issued the commission will have the authority to investigate that matter and report upon it.

Mr. SIMS. And as to what shall be done with the proceeds, does the gentleman think that is germane?

Mr. MANN. Certainly.

Mr. COOPER. Will the gentleman from Illinois yield?

Mr. MANN. Certainly.

Mr. COOPER. As I understand the amendment offered by the gentleman from Illinois, it requires the Interstate Commerce Commission to report upon questions of some sort?

Mr. MANN. Yes.

Mr. COOPER. Is not the whole intent of the original bill that the commission shall report upon facts and not upon questions?

Mr. MANN. A great many questions will arise besides facts under the original bill.

Mr. COOPER. I have not observed it. I have been looking at the bill very carefully, and it is my understanding that what they are required to report on is questions of fact up to the time of the report, facts of various kinds. But when they are



called upon to report as to the power of corporations to issue stocks and bonds they may be getting into questions of law.

Mr. MANN. The commission will meet a thousand and one questions of law before it makes a report under the original bill. They are required to report upon the management and control of stocks and bonds in the past.

Mr. TOWNSEND. Mr. Speaker, will the gentleman yield?

Mr. MANN. Certainly.

Mr. TOWNSEND. Mr. Speaker, I will ask the gentleman from Illinois if there is not this distinction between the two propositions; the one contained in the bill and the one proposed by his amendment? The gentleman from Pennsylvania [Mr. OLMSTED] called the attention of the gentleman from Illinois to the paragraph on page 5 as to the commission obtaining information concerning matters treated of in the amendment proposed by the gentleman, but is not that limited by the provisions of this bill entirely to the issuance of stocks and bonds which shall have been made, whereas it is proposed by the gentleman from Illinois to inquire into proposed issues?

Mr. MANN. Does the gentleman from New Jersey mean stocks and bonds issued now?

Mr. TOWNSEND. No.

Mr. MANN. On the date of the passage of the law?

Mr. TOWNSEND. No.

Mr. MANN. Or stocks and bonds which may be issued hereafter?

Mr. TOWNSEND. Hereafter, but which shall have been issued in the future when information concerning them is sought. There is no proposal, as I understand it, in this paragraph on page 5, to which attention has been called, to make inquiry for the sake of informing the commission of proposed issues of securities, but to make inquiry in the future of issues which shall have been made at the time of the inquiry.

Mr. MANN. That is true.

Mr. TOWNSEND. And the proposition of the gentleman from Illinois—

Mr. MANN. That is the reason I offered the amendment.

Mr. TOWNSEND. Then there is a distinction between the two propositions.

Mr. MANN. Oh, if my proposition were a duplicate of what is already in the bill, I would not have offered it.

Mr. TOWNSEND. But it is not continuing work nor suggesting work of similar kind it is proposed to have done by the provisions of this bill.

Mr. MANN. Here is the proposition: This bill is for the purpose of obtaining information for the purpose of aiding the commission in the control of railroad rates. That is the only interest we have in the matter, and when you say that the commission shall report as to the stocks and bonds already issued, and you give them power to investigate that subject, certainly, if you want to control railroad rates at all, or have any influence on them, you should investigate the proposed issuance of stocks and bonds, because those that are already issued have no such influence upon railroad rates as the manipulation of the issuance of stocks and bonds in the future will have.

Mr. TOWNSEND. I did not suppose when I asked the gentleman's permission to interrupt that he was offering a duplicate, as his answer would suggest I thought. My point is this: That there are two entirely different propositions proposed, and one is not germane to the other. One is a proposition to acquire information regarding an accomplished fact, and the other is a proposition to acquire information regarding a proposed action, and one is not germane to the other. I knew they were not duplicate propositions, because I have too much faith in the gentleman's integrity as a legislator to think for a moment that he would offer a duplicate proposition.

Mr. MANN. The gentleman's position is that stocks and bonds which do not have any influence over rates ought to be investigated, and those that do have influence over rates ought not to be investigated. My proposition is, when you give the power to the commission to investigate this subject you have the right as a germane amendment to direct the commission to go a step further in the same line—not a different kind of subject at all, but in the same direction. To say when you propose to do something that you can not offer an amendment to go a step further is to say that you can not offer an amendment at all to a bill, leaving it wholly to a committee and not to the House to determine what may be in the propositions to be brought in and voted upon by the House.

Mr. TOWNSEND. I do not deny that; but this is not a proposed step in the same direction, but in a different direction.

Mr. SIMS. Mr. Speaker, it seems to me in all candor—and I of course do not understand the amendment as well as the gentleman who drew it, having heard it read only once—the ob-

ject of the bill is making an inventory of existing facts in order to ascertain the physical value of the property of common carriers, and it does not even remotely relate to how proceeds shall be invested in stocks and bonds to be issued, or created by a new issue of same; and this amendment certainly does relate to what is to be done in the future as well as what has been done in the past. I desire to say frankly to the House, not speaking for the Committee on Interstate and Foreign Commerce nor for any member of it except myself, I have always favored legislation by the Congress of the United States to properly control proposed capitalization of corporations doing interstate business, but the object of this bill is only for the valuation of existing property, and only authorizes the investigation as to outstanding stocks and bonds, because, as the Speaker intimated, it is necessary to have all the light on all existing transactions in order to determine the value of existing property. Now, the object of this amendment offered by the gentleman from Illinois is to go further, just as the object of the first motion to recommit was to go further and to legislate positively as to what shall be done hereafter with proceeds of sales of stocks and bonds, and, Mr. Speaker, I do not understand it to be germane to require a report and an investigation as to what shall hereafter be done by way of limitation of the issuance of stocks and bonds and to make a recommendation as to legislation is not germane to this bill. Why should we have an investigation of facts and a report from a commission on subjects not germane to the bill any more than the offering of such an amendment in the first instance? Now, this amendment says, if I read it right—I will read all of this paragraph:

Said investigation and report shall also fully cover, so far as practicable, questions pertaining to the issuance of stocks and bonds by common-carrier corporations subject to the provisions of this act and the power of Congress to regulate or affect the same.

Purely a question of law. Congress is better able to determine that than any commission.

And particularly methods to prevent the issuance of stocks and bonds by such corporations without full value being required therefor, and to require the application of the proceeds from the sale of stocks and bonds to be actually invested for the benefit of the corporation to the end that interstate railroad rates may be based upon reasonable and honest capitalization.

The object of that section of the bill is to prevent future overcapitalization. The bill unamended, if it should pass unamended, will have the moral effect to prevent overcapitalization, but is not mandatory in language looking to that end.

Mr. MANN. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman yield to the gentleman from Illinois?

Mr. SIMS. Certainly.

Mr. MANN. The reason I asked the gentleman to yield is because in view of the criticisms that have been made on that part of the amendment which I had inserted in the amendment mainly for the purpose of making sure of the power of the commission in making its investigation, I ask to withdraw that motion which I offered and to offer the following motion.

The SPEAKER. The gentleman from Illinois withdraws his motion to recommit and offers another motion. The Clerk will read the part that is left in.

The Clerk read as follows:

Insert, page 3, after line 21, the following:

"Said investigation and report shall also fully cover, so far as practicable, questions pertaining to the issuance of stocks and bonds by common-carrier corporations subject to the provisions of this act and the power of Congress to regulate or affect the same, and particularly methods to prevent the issuance of stocks and bonds by such corporations without full value being received therefor."

Mr. CULLOP. Now, Mr. Speaker, I make the same point of order against this that was made against the original motion for which this is a substitute.

The SPEAKER. The Chair is ready to rule. The Chair overrules the first point of order that this motion to recommit could not be offered after the previous question was ordered. The rule is clear on that question. Rule XXVII, page 388 of the Manual, says:

It shall be in order, pending the motion for or after the previous question shall have been ordered on its passage, for the Speaker to entertain and submit a motion to commit, with or without instructions, to a standing or select committee.

The Chair, for the elucidation of the matter, will state this in regard to how many motions anybody is allowed to make to recommit. Of course a Member can only make one if it is germane, but a motion to recommit is not a motion to recommit at all if it is ruled out on the point of order, and the logic of the rule is that everybody wanted the privilege of making a motion to recommit to be absolute so nobody could take the power away from a Member, and a Member would have the right to offer a motion to recommit which is germane. If that



turned out to be obnoxious to the point of order, that would go out. Well, now, the Chair does not undertake to say that a Member can stand up and offer motions to recommit interminably that are not germane. That is a matter in the discretion of the Chairman at the time, but where the Chair believes a Member is acting in good faith he will entertain them within reasonable limits. The Chair overrules the second point of order on the proposition submitted now, and the question is on the motion to recommit with the last instructions read.

The question was taken, and the motion was agreed to.

Mr. SIMS. Mr. Speaker, I report back from the Committee on Interstate and Foreign Commerce the bill H. R. 22593, with the following amendments.

The SPEAKER. The Clerk will report the amendment offered by the gentleman from Tennessee.

The Clerk read as follows:

Insert, page 3, after line 21, the following:

"Said investigation and report shall also fully cover, so far as practicable, questions pertaining to the issuance of stocks and bonds by common-carrier corporations, subject to the provisions of this act and the power of Congress to regulate or affect the same, and particularly methods to prevent the issuance of stocks and bonds by such corporations without full value being received therefor."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read a third time, and passed.

On motion of Mr. SIMS, a motion to reconsider the vote by which the bill was passed was laid on the table.

#### MOTIONS TO RECOMMIT.

The SPEAKER. The Chair wishes to repeat the request which he made day before yesterday, that when gentlemen have complicated motions to recommit they submit them to the Chair in advance, if they can do so, because the Chair's mental apparatus does not work any more rapidly than that of other people, and it is not always possible to catch the meaning of a motion by merely hearing it read.

#### LINCOLN MEMORIAL (S. DOC. NO. 965).

The SPEAKER laid before the House the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Appropriations and ordered to be printed.

#### To the Senate and House of Representatives:

I beg herewith to submit a report of the Lincoln Memorial Commission, and its recommendation, upon the location, plan, and design for a memorial in the city of Washington, D. C., to the memory of Abraham Lincoln, in accordance with an act providing a commission to secure plans and designs for a monument or memorial to the memory of Abraham Lincoln, approved February 9, 1911.

WM. H. TAFT.

THE WHITE HOUSE, December 5, 1912.

#### LEAVE TO ADDRESS THE HOUSE.

Mr. BURGESS. Mr. Speaker, I ask unanimous consent for 10 minutes in which to address the House.

The SPEAKER. The gentleman from Texas asks unanimous consent for 10 minutes in which to address the House. Is there objection?

Mr. FITZGERALD. For what purpose does the gentleman wish to address the House?

Mr. BURGESS. I desire to make a short statement and to insert an editorial in the RECORD.

Mr. FITZGERALD. I would suggest the gentleman take the time on the appropriation bill which is to follow. Mr. Speaker, it will be impossible to give Members time as was done in the long session. We have only 40 days to pass all the bills. I ask that the gentleman take his time in general debate.

Mr. BURGESS. All right.

#### LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. JOHNSON of South Carolina. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 26680, the legislative, executive, and judicial appropriation bill.

Mr. MANN. Mr. Speaker, pending that, may I ask the gentleman for the information of the House if there is any notion as to how much, if any, general debate there will be on the bill?

Mr. JOHNSON of South Carolina. There has been no request for time on either side of the House, except that the gentleman from Texas [Mr. BURGESS] has indicated that he desires 10 minutes.

The SPEAKER. The question is on the motion of the gentleman from South Carolina that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the legislative, executive, and judicial appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 26680, the legislative, executive, and judicial appropriation bill, with Mr. GARNER in the chair.

The CHAIRMAN. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 26680) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1914, and for other purposes.

Mr. JOHNSON of South Carolina. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that the first reading of the bill be dispensed with. Is there objection? [After a pause.] The Chair hears none.

Mr. JOHNSON of South Carolina. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. BURGESS].

Mr. BURGESS. Mr. Chairman, during the 12 years I have been a Member of this House I have not spoken on the race problem, although I was born and reared in a county in the district I represent where the population at the time was 80 per cent negroes, and it is one of the districts known as being in the "black belt." But I have refrained from discussing the race question because I am the friend of the negro and I realized no good could come from discussing a problem that all the South is wrestling with, the ultimate solution of which no man knows. But I ask permission to have read into the RECORD an editorial from the Fort Worth Record, of Texas, written by one of the most brilliant and one of the ablest of southern journalists—Clarence Ousley—and I do this not for the purpose of provoking any discussion, but simply because I think the article so well written that it will appeal to all thoughtful men.

The CHAIRMAN. The Clerk will read the article referred to.

The Clerk read as follows:

[From the Fort Worth Record.]

#### DEBASING NATURE AND DESPISING GOD.

Shocking and sickening as is the Chicago story of a young white girl's infatuation with Jack Johnson and the black animal's brutish insistence upon holding her within the coils of his power, it should not surprise any man who has the slightest ken of racial instinct or the faintest appreciation of the philosophy of social consequence.

The only wonder is that an intelligent people have permitted associations that make the least compromise with fundamental principle.

To put it in a paradox, this development is the natural result of an unnatural contact of whites and blacks tolerated for gain, or for sport, or for convenience. When white men meet negro men in the prize ring, when they ride together in street cars or railroad cars, or when they meet upon any common plane, they stand upon a footing of equality for the occasion, and repeating the occasion establishes a status which has no limitation or differentiation in the mind of the heedless white or the covetous and lustful black.

There is no culture of mind or heart or uplift of soul of the individual black man that warrants social equality with the white man. That is a hard saying, but it is the decree of nature and God, and to ignore it is to debase nature and despise God.

May not the black man aspire? Yes, as high as the heavens. May he not expand? Yes, throughout the whole wide universe. But aspiration and expansion are not hindered by confinement within the association of his own race. By and of himself, among his own, he must pursue his own way—and he may not be permitted to pursue any other without consequences revolting to the white man and ultimately destructive to himself, for such instances as this repeated will provoke revolution and antagonism merciless and far-reaching.

They play with fire who venture to cross the line of racial separation by so much as the slightest step or in the faintest degree. It is not because the individual white man is injured by the contact of the moment, or that the individual black man may not be bettered by the association. If that were all there would be no race problem, and the rule would rest upon an unseemly prejudice. President Roosevelt was not hurt by the dinner with Booker Washington, for with all respect to the host it may be said that the guest was individually worthy of the hospitality. But in the mathematics of races the honest, humblest black is Washington's equal, and since Washington was made equal with Roosevelt the lowest black became equal with chiefest of the white race. That is the philosophy of the black man's reasoning; that is the corollary that finds unconscious lodgment in the white mind moved to an association by whim or temporary advantage.

Jack Johnson had a white wife, who is now dead, and nothing ill may be said of the dead. But the example has borne fruit in the weak brain of this poor child of passion who would give her birthright for the gratification of a diseased or insane fancy. The suicide of the other one, provoked perhaps by a belated realization of her racial debasement, is no warning to the younger victim lured by notoriety and intoxicated by adventure.

And that isn't all. "Oh, some of the best white women in Chicago ride in this car," said Johnson to the girl's mother when she shrank from being seen in his automobile. Of course "the best white women" in Chicago do not ride in that car, but Johnson sees no reason why they should not; other brutish negroes there and elsewhere see no reason why they should not; and thus in millions of negro minds is



born the purpose of impudence and insult and outrage to be visited upon white women any time and anywhere.

What have we of the South to be concerned about in this unspeakable infamy which the undiscerning North tolerates? May we not be content to preserve our own standards, maintain our social integrity and let others indulge animalism and amalgamation to the utmost of their bestial bent?

No, for we have knowledge they do not know; we have experiences which should teach them to beware, and we are not faithful as our brothers' keepers if we do not cry aloud and warn them of their peril.

Besides, they can not conceal these exploits from the knowledge of our blacks, and our blacks will be tempted to more wicked deeds. Quick and sure vengeance awaits the least encroachment here, but it would be little less than criminal not to endeavor to prevent the occasion for vengeance.

Thousands of black brutes all over the land will be moved by this circumstance to entertain the nameless desire which always lurks in the mind of the low and lustful.

We may not calculate how many white women must suffer the consequence of such example—nor how many black men may be destroyed to hold the others of the race in leash.

Will men never learn that nature can not be mocked without punishment? That the God of heaven is the God of races? That the pigment of the skin, while not a badge of dishonor, is an outward and visible sign of a status decreed from everlasting to everlasting? Association, dalliance, or trespass, by whatever action or custom, is outlawry which invites the wrath of the Most High.

Mr. JOHNSON of South Carolina. Mr. Chairman, I yield 15 minutes to the gentleman from Pennsylvania [Mr. PALMER].

The CHAIRMAN. The gentleman from Pennsylvania [Mr. PALMER] is recognized for 15 minutes.

Mr. PALMER. Mr. Chairman, I recognize that in the short session of Congress debate on appropriation bills should not be interrupted to any great extent by the discussion of matters which do not relate to those bills; but I crave the indulgence of the House for a few minutes this afternoon to call attention to a matter which has no relation whatever to this bill, but which I think is of sufficient importance to command the attention of the House.

On the 31st day of October, 1912, an American ambassador at a foreign court made an address which contains so many aspersions upon the character and life of a great American who was twice President of the United States, once Secretary of State, and whose name has reached the height of immortality in the world, that I feel we ought not to allow the occasion to pass without some mention of it in this House. Ambassador Reid, at the autumn session of the University College of Wales, delivered a lecture entitled "One Welshman: A Glance at a Great Career," and under that title made comment upon the life, character, and achievements of Thomas Jefferson.

There seems to be just now considerable renewed interest in Thomas Jefferson's life. I have been myself much attracted by some of the recent literature about Jefferson and about his beautiful home in Virginia and its history. I have been attracted also by the scholarly and brilliant work of the distinguished Senator from Mississippi, who has been lecturing upon the life of this great man before the students of Columbia University in New York. And it is a jarring note, especially at a time when the philosophy and the political theories of Thomas Jefferson seem to come in for enlarged support among the American people, to have the American ambassador at the court of the greatest monarchy on earth take pains to go out of his way to call attention to what he himself calls the "odious details" in the conduct of this great man as indicative, in his own language, "of the real character" of Thomas Jefferson.

He starts out by giving to Jefferson due and proper credit for many of the great things which he did, referring to his "head of gold," and then goes on in two-thirds of his address to prove that he had "feet of clay," by calling attention to what he calls the "absurd inconsistencies and extravagances" of his life, his works, and his utterances. He not only flings his jibes at what Jefferson did and said, but sneers at the accomplishments of the great political party which Jefferson founded, and by misrepresentations and misstatements of the facts seeks to give the impression that they are not worthy followers of that great man.

I admit that this sort of thing, coming from a man of letters who desires to be known as a writer of history, would not be worthy of any criticism here; but I declare that when an American ambassador at a foreign court undertakes thus untruly and improperly to criticize a man who occupies the position in our country's history held by Thomas Jefferson, the occasion is worthy not only of comment but perhaps of censure.

Mr. Reid begins by stating the admission of Jefferson's admirers that "his political career was checkered, his executive course many times open to criticism, his modes of expressing conviction often ill-considered and extravagant and amazingly inconsistent, and his acts as a politician frequently far below the standard of the philosophical writer on government." He refers to him as "possessed with such wild notions that he could not mind his own business" when a member of Washington's Cabinet; and he finally begins his citations of isolated

utterances of Jefferson to prove his inconsistency of conduct and extravagance of behavior by this description of the man:

Mr. Jefferson was not a man of genius. We have seen that he was not an orator, not a soldier, not a good Executive, *least of all, a well-balanced statesman*. But he was a philosophical thinker or dreamer, and yet with a wonderfully practical gift for reading the tendencies of the populace and for putting their wishes into persuasive and stately language. \* \* \* He was at once a philosopher and a partisan. But his philosophy was sometimes ill-balanced and ill-considered; his partisanship was always adroit and carefully considered, generally successful and *sometimes useful*.

When analyzed that paragraph gives him credit only for sometimes being useful as a party man. The ambassador goes on to say:

I began by asking you to consider a few reasons why some work of his gave as much credit to the Welsh stock as anything done by any other man of the blood. But I did not commend him as a uniformly sound political thinker or as an altogether admirable man. In fact, as a political opponent he was at times ungenerous and *underhanded*. Even his close friend, James Madison, was constrained to apologize for his frequent extravagance and inconsistency.

A few examples—

Says Ambassador Reid—

may show the urgent need of this allowance, and at the same time bring his *real character* and its limitations into clearer relief. They will also show the *absurd extravagance to which he habitually resorted* as the surest means of impressing the less intelligent voters.

If the American ambassador could have employed any words which would have more accurately been intended to call this great man a demagogue, I know not the words which he could have chosen. He goes on then in many pages, citing sentences from his writings and isolated instances of conduct and actions on the part of Jefferson, to prove these "absurd extravagances" which he says denote Jefferson's "real character." The accuracy of these citations may well be judged by these. He says:

And in curious contrast with his political descendants, who now wish to have the decisions of the highest courts reviewed or even reversed at popular elections, he said bluntly: "The people are not qualified to judge questions of law."

It seems to me the only excuse for such an utterance, which charges the Democratic Party with having within its ranks as one of the descendants of Thomas Jefferson the author of the doctrine which the ambassador here describes, must be found in the ambassador's absence from the country during the last few months. [Applause on the Democratic side.]

He goes on to say, further:

He reconciled his personal feeling with holding office almost continuously for 40 years, but when he became President he was vehemently in favor of rotation in office and was the author of the doctrine that "to the victors belong the spoils."

A statement which history will not corroborate. He then goes on to give his definition of the attitude of the Democratic Party to-day, which nothing except perhaps an isolated sentence taken out of the context in some of Jefferson's writings could possibly justify or excuse. He says:

He wished to confine the great General Government solely to foreign affairs—to be thus conducted without diplomatic establishment. Every other subject of public concern, excepting solely foreign affairs, he wished left to the independent States. Nine-tenths of the present useful activities of the General Government would thus have been destroyed at one stroke.

And he accompanies all this with a sneer at the government of the great city of New York, which he declares has been for many generations in control of the party which is proud to claim Thomas Jefferson as its founder, and which, in the instance cited by Ambassador Reid, he declares without justification the party has wandered far from the course laid down by the founder.

After citing these instances and others that I shall not stop to read or comment upon, he says:

Surely here are enough inconsistencies and extravagances to show the need for Mr. Madison's plea that "allowance be made for them." In most of them he was absolutely sincere. But no sketch of his career or estimate of his character would be honest without some mention of others for which such an excuse can not be offered.

And then he, the ambassador of this Government, standing before a foreign audience upon foreign soil, talking about the man who was the first Secretary of the department under which he, the ambassador, serves, goes on to detail the extravagances in Jefferson's character which, he says, show his absolute insincerity, and he winds up this description of the man by reference to his vulgar and ill-bred habit of sneering at conscientious beliefs, his doubt of his sincerity when he carried through Virginia the statute for religious freedom in the colony, summing it all up by reference to him as—

That strange medley of inconsistency, extravagance, enthusiasm, and fervid patriotic devotion.

Mr. Chairman, I shall not go further in this. I admit there is much in this address of Ambassador Reid which is true and which is entirely worthy of the subject. There is much in it which must of necessity have found a place in any sketch of his great career which shows a proper estimate of the man in some of the aspects of his life, character, and great achieve-



ments; but there is so much in it which impugns his motives, doubts his honesty of purpose, and condemns his methods that the whole constitutes an aspersion upon the life, character, and conduct of this great man, whose memory we revere down to this day. And I, for one, as an American Representative in Congress, would not let the occasion pass without entering my protest against the impropriety, the misconduct, of an American ambassador at a foreign court who would thus misrepresent before a foreign audience one of the greatest men who ever lived upon American soil. [Applause on the Democratic side.]

Mr. GILLETT. Will the gentleman from Pennsylvania yield to me?

Mr. PALMER. Certainly.

Mr. GILLETT. I have not read the address of Ambassador Reid, but I would like to ask the gentleman if it consists mainly of these criticisms which he has read, or if it does not also fairly represent the great qualities of Mr. Jefferson?

Mr. PALMER. I said that the ambassador did rather briefly give him his due credit for great things accomplished, but he devotes the larger part of his address to what he himself calls the "odious details" which show the "true character" of the man. No man in this House could read the address without being shocked at the thought that the American ambassador would thus describe him. [Applause on the Democratic side.]

Mr. GILLETT. I listened to what the gentleman read, and I supposed the larger part of his quotations portrayed weaknesses which the most devoted friend of Mr. Jefferson fully recognized that he possessed, and while I think we all of us admire, as I certainly do, his great qualities and great achievements, I certainly supposed the members of the gentleman's party would recognize that a large part of the criticism which he has detailed was founded on history.

Mr. LANGLEY. And these statements of the ambassador are in the main sustained by citations in the various volumes to which he refers.

Mr. GILLETT. Mr. Chairman, I ask unanimous consent that the full address of Ambassador Reid be printed in the Record so that we may see as a whole what impression it carries.

Mr. PALMER. I have no objection whatever.

The CHAIRMAN. The gentleman from Massachusetts asks that the full address of Ambassador Reid be printed in the Record.

Mr. JONES and Mr. SHACKLEFORD objected.

Mr. GILLETT. That shows the spirit of this criticism.

Mr. SHACKLEFORD. We do not want to circulate this libel any further.

Mr. GOOD. Mr. Chairman, in order that Ambassador Reid may be put right in this matter, I ask that there may be printed, with the remarks of the gentleman from Pennsylvania, the estimate of Thomas Jefferson placed upon him by President elect Woodrow Wilson, as found on page 3, volume 4, of Mr. Wilson's History of the United States, which reads as follows.

Mr. PALMER. Mr. Chairman, there was no intent on my part—

Mr. HEFLIN. Mr. Chairman, I demand the regular order.

The CHAIRMAN. The regular order is that the gentleman from Pennsylvania has the floor.

Mr. PALMER. I have no objection to the gentleman reading the extract.

Mr. GOOD. It reads as follows:

The difference between Mr. Jefferson and Gen. Jackson was not a difference of moral quality so much as a difference in social stock and breeding. Mr. Jefferson, an aristocrat, and yet a philosophical radical, deliberately practiced the arts of the politician and exhibited oftentimes the sort of insincerity which subtle natures yield to without loss of essential integrity. Washington found him a guide who needed watching.

[Applause on the Republican side.]

Mr. PALMER. Mr. Chairman, I do not know whether my time is exhausted or not.

Mr. JOHNSON of South Carolina. I will yield to the gentleman five minutes more.

Mr. PALMER. Mr. Chairman, I only want to say that I had no intention of making political capital out of this proposition. Mr. Reid is an official of this Government. He is the ambassador of the American Government at the Court of St. James, and his conduct and his utterances are not the opinion of a historian or a man of letters. They are being presented to foreign people as indicative of the sentiment of the American people. There is nothing in the gentleman's quotation from the speech of Mr. RODENBERG, which was read here last spring during the presidential campaign as the utterances of President-elect Wilson, which compares for a single moment with the scathing, untrue description of Thomas Jefferson contained in this address by Mr. Reid. [Applause on the Democratic side]

Analyze everything that Woodrow Wilson, as a writer of history, has said about Thomas Jefferson, and any man who is not blinded by partisanship in the present circumstances in this country, when Mr. Wilson has reached a high place in the Democratic Party, would admit that his estimate of Thomas Jefferson was that of a man who believed him to be the greatest philosopher and statesman of his time. [Applause on the Democratic side.]

I did not take from Ambassador Reid's address a single sentence out of its context by which it might be judged. I am willing that the entire address shall be printed in the Record, and would be glad to have it there. I made no objection when the request was made. The impression that any man would get in reading all that Mr. Wilson has said about Thomas Jefferson would be that he had the highest admiration and respect and veneration for the character and achievements of Jefferson, while the impression any man would get from reading the address of Ambassador Reid must be that he has a sneering contempt for many of the attributes of character of this great man. [Applause on the Democratic side.]

Mr. GOOD. Can the gentleman from Pennsylvania point to a single sentence in the address of Ambassador Reid where there is such a reflection upon the character and integrity of Thomas Jefferson as is contained in the sentence of Woodrow Wilson where he says that Washington found in him a guide who needed watching?

Mr. PALMER. I have pointed out a dozen sentences where there is more.

Mr. GOOD. What are they?

Mr. MANN. Mr. Chairman, I will ask the gentleman from South Carolina to yield me one minute.

Mr. JOHNSON of South Carolina. Mr. Chairman, I yield one minute to the gentleman from Illinois.

Mr. MANN. Mr. Chairman, I have read the address of Ambassador Reid, as has the gentleman from Pennsylvania [Mr. PALMER]. My impression from reading the address was that in the main it was laudatory of Thomas Jefferson, and there certainly is nothing in that address which in any way whatever is so condemnatory of the life or character of Thomas Jefferson as the expression in Mr. Woodrow Wilson's printed article.

Mr. BUTLER. What does it all amount to, anyway? You can not disturb Thomas Jefferson in history.

Mr. LEWIS. Mr. Chairman, I will ask the gentleman from South Carolina to yield me two minutes.

Mr. JOHNSON of South Carolina. Mr. Chairman, I yield the gentleman from Maryland two minutes.

Mr. LEWIS. Mr. Chairman, I think the two gentlemen who have spoken in regard to this matter have wholly missed the point. There was a time in the history of this Republic when its ambassadors were not found in the highways of Europe belittling and slandering citizens of this Republic, living or dead, and there was a time even in the history of the other side of the House when, had they done so, their conduct would not have met with its applause. The difference between Mr. Wilson, the historian, and Mr. Reid, the ambassador, is the difference between a private citizen and a representative of this Republic wearing its robes of office and authority, and presumably under the duty of presenting it to foreign countries in a manner to invite respect, and not in its most discreditable guise. Thomas Jefferson himself is safe, even from the attacks of this ambassador. If the President of this Republic did his duty, Ambassador Reid would not be long safe in his office. [Applause on the Democratic side.]

Mr. JOHNSON of South Carolina. Mr. Chairman—

Mr. HEFLIN. Mr. Chairman, will the gentleman from South Carolina yield me three minutes?

Mr. JOHNSON of South Carolina. After I have made my statement respecting the bill.

Mr. Chairman, in presenting the legislative, executive, and judicial appropriation bill to the committee, I shall detain the committee long enough to call attention to the material facts of the bill. While the bill is under discussion under the five-minute rule I shall feel it my duty to explain any item in the bill to Members who may desire information. The bill as it comes to the House carries \$319,000 less than the bill for the current year. It provides for 310 less salaried employees than the bill for the present year. It provides for 347 less people than the departments, in the estimates, asked Congress for.

Of the 310 employees whose services are no longer needed, there are 175 who were employed in the Census Office completing the work of the last census. The further services of these people are dispensed with because the work upon which they were engaged is now about completed.



There is a reduction of 100 in the force in the War Department. Gen. Wood testified before the committee during the last session of Congress that more "paper" work was being done than was necessary. The bill as it was finally approved provided that vacancies in the War Department should not be filled until the whole number of vacancies should equal 5 per cent of the entire clerical force. Under that provision of law 78 places became vacant and were not filled. The last military appropriation bill consolidated three bureaus in the War Department. The consolidation of those bureaus enabled the department to dispense with the services of 24 people. So that there has been a reduction of 100 clerks in the War Department, but those reductions were made without turning any person out of the Government service. They were made by not filling vacancies as they occurred. But for the fact that it was necessary for us in some particulars to increase this bill, we could have made a larger reduction. We slightly increased the force in the Library of Congress. In the Copyright Office the force was not sufficient to keep the work current. That office is self-sustaining. During the last year it paid into the Treasury about \$20,000 in excess of the cost of operating it. We therefore gave an increased force in the Copyright Office. We also gave an increased force in the card-indexing department. That likewise is self-sustaining.

In the Civil Service Commission we were compelled to increase the force, first, because the efficiency law of the last Congress placed additional burdens upon the Civil Service Commission in the keeping of the efficiency records.

The President has recently promulgated an order placing all the fourth-class postmasters in the classified service. The Civil Service Commission claim that the keeping of the efficiency records of the clerks and the attention that will be required in filling all fourth-class post offices of the country will necessitate an additional clerical force. We were liberal in granting these allowances. Speaking for myself, I was particularly anxious that they should have the increased force. The Government on 4th of March will change from one great political party to the other. [Applause on the Democratic side.] There will be people unscrupulous or ignorant who would create the impression that the incoming administration and its friends are hungry for spoils. I wanted no excuse for the Civil Service Commission to say that we had denied it the force necessary to enforce the law. For these reasons we greatly increased their force. The Post Office Department has been reducing expenses. The country is constantly growing, but the Post Office Department, in spite of that fact, has been able from year to year to reduce its force. This time the department came to the committee asking for no increase on account of the general increase of the country's population and business, but asking for an increase on account of the burdens that will be placed on the department under the postal savings banks and the parcel-post laws. The increased work of that department on account of those two laws necessitated adding 30 clerks, at a cost of about \$40,000. We increased, also, the permanent force in the Census Office because during the last session Congress passed an act requiring the Census Bureau to gather tobacco statistics. Congress also passed an act requiring the Census Bureau to gather additional cotton statistics. The work required of that bureau under the two laws mentioned necessitated an increased force, which we have granted.

All through the bill, where we found that the testimony indicated particularly meritorious cases we have increased salaries. Generally we have increased those in the higher grades, in order that there may be promotions all along the line. We have endeavored to provide that promotions in any division shall be made from the clerks employed in the particular division. We found that many clerks, in order to avoid the provisions of the transfer law, were resigning outright and being reemployed in another department. We have tried in this bill to correct that evil.

Now, Mr. Chairman, as I have said, as the items in the bill are reached, if any Member desires any information in regard to what we have done and why we have done it, I shall feel it my duty to explain it as best I can.

Mr. PALMER. Mr. Chairman, I would like to get a little information from the gentleman in charge of the bill about this appropriation for the maintenance of the internal-revenue collectors' offices. How many offices are appropriated for in this bill?

Mr. JOHNSON of South Carolina. Sixty-three.

Mr. PALMER. Is that the same number that was appropriated for in the last bill?

Mr. JOHNSON of South Carolina. It is.

Mr. PALMER. And that is four less than was carried before?

Mr. JOHNSON of South Carolina. Four less than were carried prior to October 1, 1912.

Mr. PALMER. I assume when the Appropriations Committee cut down the appropriation for the internal-revenue offices the committee had in mind there were four offices which could properly be abandoned for the good of the service.

Mr. JOHNSON of South Carolina. We had information to the effect that there were five that could be dispensed with.

Mr. PALMER. What districts were they?

Mr. JOHNSON of South Carolina. That information was given to a member of the Committee on Appropriations outside of the committee room, and I do not now remember what districts they were.

Mr. BURLESON. I am the Member referred to, but I do not now recall the location of the districts, save one. I recall that one was in the State of Iowa. I will state to the gentleman from Pennsylvania that the districts the committee had in mind that could be abolished were not the districts that were afterwards abolished.

Mr. PALMER. That is what I am getting at.

Mr. CARLIN. Which were they?

Mr. JOHNSON of South Carolina. One was in South Carolina, one in Texas, from obvious reasons, one in Pennsylvania, and I do not know where the other was.

Mr. PALMER. The one in Pennsylvania was the district in which I live. [Laughter.] The one in Texas, I think, is in the district in which the gentleman from Texas [Mr. BURLESON] lives.

Mr. BURLESON. No; it was the Dallas district that was abolished.

Mr. PALMER. And the other is the district in which the gentleman from South Carolina [Mr. JOHNSON] lives. I take it for granted that as far as the South Carolina and Texas districts are concerned, at least, the Appropriations Committee had no idea of having them wiped out.

Mr. MANN. Why should not they if they did not need them? Does the gentleman assume that the Appropriations Committee is unwilling to abolish a district in Texas because a gentleman from Texas is on the committee? I think that is a violent assumption.

Mr. PALMER. I assume the districts in those States are so important that it would be necessary to continue the offices in those districts.

Mr. MANN. How many districts are there in Texas?

Mr. BURLESON. One now.

Mr. MANN. That is doing pretty well.

Mr. BURLESON. How many districts are there in Illinois?

Mr. MANN. Illinois collects more revenue than all the other districts combined, and there are very few districts—

Mr. BURLESON. The Peoria district pays more into the Treasury than all the other districts in Illinois combined, the gentleman might also add.

Mr. MANN. That is true, and any one of the Illinois districts pays more internal-revenue tax than all of Texas combined.

Mr. PALMER. I want to ask the gentleman in charge of the bill if he believes this Texas district, and the South Carolina district, and the Pennsylvania district ought to be wiped out?

Mr. JOHNSON of South Carolina. I have no information on that subject. I will state, as far as I am at liberty to state, that a Member of Congress came to the Committee on Appropriations and asked that his name should not be used—

Mr. BURLESON. A Republican Member of Congress.

Mr. JOHNSON of South Carolina. A Republican Member. He said he had knowledge that there was an internal-revenue district in his State that was absolutely useless for any purpose except to give somebody a place. That led the committee to inquire of the Commissioner of Internal Revenue if there were any districts that could be dispensed with without injury to the public service. The commissioner furnished to the gentleman from Texas, who waited on him, a list of five districts which I understood he thought could be dispensed with without injury to the public service.

Mr. GILLET. Why, Mr. Chairman—

Mr. PALMER. Mr. Chairman, would there be any impropriety in submitting that communication of the commissioner to the House?

Mr. BURLESON. It was not a communication in writing. The information was received in a personal conference. I want to state in fairness to the gentleman from South Carolina [Mr. JOHNSON] that at the time the committee was considering the abolishment of a number of these revenue districts it was understood that probably the district in South Carolina would be one of the districts abolished. I want to state, furthermore, that in my judgment the public service will not suffer by reason of the abolishment of the district in Texas. I want to state, furthermore, that I believe that the number of internal-revenue districts now authorized could be still further reduced without any injury to the public service.



Mr. PALMER. Mr. Chairman, if the committee was right last year in reducing this appropriation because there were five districts that could be dispensed with, and after the appropriation has been reduced other districts are abolished, the only way to accomplish the purpose of the last year's action would be to still further reduce the appropriation, would it not?

Mr. JOHNSON of South Carolina. No; because the President has the power by Executive order to rearrange these districts and to abolish as many as he sees fit, and we had an idea that very shortly there would be a new Secretary of the Treasury and a new Executive who would abolish the useless districts, and it was not necessary for the Committee on Appropriations to put it in the form of law that it had to be done.

Mr. PALMER. Can the Executive, without legislation, change the boundaries of these districts?

Mr. JOHNSON of South Carolina. Yes, sir.

Mr. PALMER. So he can arrange an entirely new system, dividing the country into 63 districts?

Mr. JOHNSON of South Carolina. That is my understanding.

Mr. GILLET. May I state to the gentleman that I do not know about the private communications of Members of Congress to members of the committee or of the Internal Revenue Commissioner to Members of Congress. I do not think that is a proper kind of evidence to bring on the floor of the House, but I would like to ask the gentleman if the collector of internal revenue did not, in his official statement before the committee, state that he thought it was to the detriment of the public service to decrease the number of the districts?

Mr. JOHNSON of South Carolina. He did say in his examination on this bill that the discontinuance of the districts that had been discontinued was a detriment to the service.

Mr. GILLET. And that in his opinion the number ought not to be diminished?

Mr. JOHNSON of South Carolina. I do not know whether he said that or not.

Mr. GILLET. That is my recollection.

Mr. BURLESON. Undoubtedly it is true that there ought to be a rearrangement of these districts, and it is probable that the number which we now have, if a rearrangement should be effected, would be continued, but with the arrangement as it is now some of these districts could be abolished without injury to the public service.

Mr. GILLET. Mr. Chairman, this is the first indication that we have had of the attitude of the majority toward appropriations, now that the campaign is over. I think in that light it is somewhat suggestive and interesting. We all remember that last year just on the eve of a political campaign the cry on that side of the House was all for economy and reform. The pork barrel was closed up, patronage in this House was cut off, appropriation bills were diminished, and we were told that the Democratic Party was bound for reform.

The committees on expenditures, which have jurisdiction of the different departments, were all put to work, and it was expected that revelations of extravagance and scandals would be brought before us. All of those hopes entirely failed of realization, and all of those committees accomplished nothing, though I presume they affected public opinion; and now, at the beginning of this Congress, we are going to see what the Democratic Party will do along those lines after election. That was all before election, and that was all to make a platform.

This very bill in the last Congress came in so stingy, parsimonious, and vicious in what it did and what it did not do that the Republican members of the committee felt bound to take the very unusual step of submitting a minority report—something which had not been done before, if I remember correctly, since I have been a member of the committee.

Now, we all wonder, after the object was achieved, after they had gone before the people on this platform of economy, now that they have won power, whether they will carry out those platform pledges and the precedents which they tried to start in the last Congress.

In that light I think this bill is suggestive, because in the last Congress in this bill there was not a single increase either of salary or of force except, I believe, one very small increase of a salary which had been diminished by mistake in the preceding Congress. Except for that in the last Congress you could look through all the pages of this printed statement on the legislative bill and you would not find a single increase, either of salary or of force. They not only did that, but they went a step further, and against a hostile Republican administration, as they seemed to have considered it, an administration that had distinguished itself by more genuine efforts for reform than any other administration that has been here in the 20 years that I have seen, an administration which by its efforts and investigations has cut down the expense of the departments

here in Washington by hundreds of thousands of dollars a year, against that administration they made a lump-sum reduction. They not only would not allow that administration a single increase of force or of salary, but, unable to say where the administration should diminish its expenditures, unable to go into details, unable to give any intelligent judgment as to where a reduction could be made, they made a lump-sum reduction, and said that during the year whatever loss in force might occur should not be filled.

That was their attitude last year toward the Republican administration, and now what is their attitude this year? Is it the same? Last year, as I said, if you looked through these pages you would not find a single increase. That was for the Republican administration. Now, if you will take up the report accompanying this bill, you will find on more than half of its pages increases of force, increases of salary, and in some cases increases of both force and salary.

The gentleman from South Carolina [Mr. JOHNSON] says that some people are unscrupulous and ignorant enough—I think those were his complimentary adjectives—to feel that the Democratic Party is hungry for spoils. [Laughter.] I admit that I am one of those persons who come within that category.

Mr. JOHNSON of South Carolina. Will my friend from Massachusetts allow me to interrupt him?

Mr. GILLET. Certainly.

Mr. JOHNSON of South Carolina. I am sorry that my friend from Massachusetts suspects the Democratic Party. I will look into the dictionary for another adjective to describe the gentleman. I want to ask the gentleman whether he is complaining because we have made increases either in force or in salary?

Mr. GILLET. I am not. I am complaining because you treated the administration last year in the way you did and now begin to take a different tack.

Mr. JOHNSON of South Carolina. Has the administration suffered in any particular by reason of the reductions that were made?

Mr. GILLET. Well, we have had only three months since that bill went into effect. You can not tell, but I have no doubt the administration has suffered.

Mr. JOHNSON of South Carolina. I know you would have suffered, unless that bill had passed, very greatly.

Mr. GILLET. I have no doubt the administration has suffered. I have no doubt it would have been better to have given some of these increases then. I agree that many of these increases of force and of salary are proper. I am not sure but that they all are; but, under the circumstances, I do criticize the increases of salary in this bill. I criticize the way in which they are made. I believe many of the salaries to clerks in the departments are now inadequate. I believe they ought to be increased, but I believe the way to increase them is not for our committee to pick out its favorites and increase them by a bill like this—

Mr. BURLESON. I should like to ask the gentleman whether he says that has been done in this bill?

Mr. GILLET. I do not know.

Mr. BURLESON. Does he mean to insinuate that it has been done in this bill?

Mr. GILLET. I do not mean that they are your personal favorites. I mean that they are favorites, because they are picked out when undoubtedly there are many others in the departments equally deserving.

Mr. BURLESON. Will the gentleman indicate or particularize? Will he put his finger on one case where a man has been selected out as a favorite?

Mr. GILLET. Everyone of them who is selected out is the recipient of favoritism.

Mr. BURLESON. Will the gentleman state whose favorite he is?

Mr. GILLET. I do not mean that he is your favorite or any other man's favorite on the committee. He is the favorite of this legislation, and the exercising of this favoritism will lead to further favoritism, as you well know, because you know that when we have increased the salaries here the bill will go over to the Senate, and they will put on many other additions, and we will have to agree to them.

Mr. BURLESON. Right at this particular point—

Mr. GILLET. I decline to yield right in the middle of a sentence. I say that our increasing of these salaries will lead the Senate to do the same thing. Those increases will come back here, and we will have to consent to their increases. Now, what we ought to have done is to have reclassified the whole service. There are many places which are inadequately paid. I presume I voted for most of these increases of salary. I do not remember opposing any of them. I think they are worthy,



but if you are starting in on your principle of reform and economy, I think the proper way to do it is not to refuse, as you did last year, to make a single increase either of force or salary and then come in this year to make increases. Instead of that you ought to pass a reclassification of the whole civil service. That is one of the crying needs. There are some of these clerks who are too highly paid. There are some who are paid too little. There is a bill which was considered by the Committee on Appropriations a few years ago, and I think it was favorably reported by that committee, but did not pass the House. There is a bill reported by the Committee on Reform in the Civil Service in the last session for reclassifying the service. Either of those bills contains a foundation which might have been taken up and enacted into law; but instead of adopting the system recommended by the Committee on Appropriations and by the Committee on Reform in the Civil Service, you would return to the old-fashioned way which, I am sorry to say, we have been pursuing right along. You have relaxed from your last year's stern and ascetic principle of not making any increases, and now for the Democratic administration you are making increases both of force and salary.

Mr. BURLESON. I want to ascertain the viewpoint of the gentleman. He insinuates that these increases which have been made in this bill are made as the result of favoritism. I want to know if that is the operating cause that moved those in charge of this bill for the last 16 years to grant the increases that have been made in the legislative bill and other appropriation bills.

Mr. GILLETT. I have just criticized it myself and have said it is the wrong principle. It is the same principle that we have followed right along.

Mr. JOHNSON of South Carolina. Let me ask the gentleman a question.

Mr. GILLETT. Certainly.

Mr. JOHNSON of South Carolina. Suppose we should pass a law reclassifying the service. Who would put the clerks in class 4 and class 3 and class 2 and class 1?

Mr. GILLETT. The gentleman is not familiar with the bill that has been before our committee and before the House, which provides for reclassifying them not simply by grades, as they are now, which is a vicious way, but classifying them according to the quality of the work that they do.

Mr. JOHNSON of South Carolina. Who is to do that?

Mr. GILLETT. The head of the department does it.

Mr. JOHNSON of South Carolina. Who came down here before our committee saying: "This man who is drawing \$1,600 is worth \$1,800?"

Mr. GILLETT. The head of the department, of course.

Mr. JOHNSON of South Carolina. The same people who would do the reclassifying.

Mr. GILLETT. No; but then they would reclassify according to the character of the work.

Mr. JOHNSON of South Carolina. That is what they testified before the committee, that they are asking for an increase because of the men's work. If there is any favoritism it is shown by the department and not by Congress. I do not know any of these people.

Mr. GILLETT. I will say frankly that I do not suspect these are the personal favorites of any member of the committee, but it is the system of favoritism appointing them in this way. The way they ought to be appointed is the other way. The very austere self-control which gentlemen exercised in the last Congress is very different from the generosity they are exercising here.

Another contrast is in reference to another branch of departmental service which is subject to great improvement. The committee last year recognized that superannuation was one of the evils of the service. It is one of the greatest problems that can be tackled by any committee, and if the Committee on Appropriations would strike out these two evils, would reclassify and would strike out superannuation, they would do something of permanent value.

Mr. FITZGERALD. Will the gentleman yield?

Mr. GILLETT. Certainly.

Mr. FITZGERALD. I suggest that the committee did do that, but with the gentleman's assistance the President wrote a veto message with reference to it.

Mr. GILLETT. The committee did do it; but in such a crude and preposterous way that I venture to say they will not dare repeat it when they come into power. I agree that there is no inconsistency in not doing it at this session, because they know it would be vetoed again; but I venture to say now that you will not dare to do it in the next Congress, because you know it is not the right way.

Mr. FITZGERALD. The gentleman from Massachusetts characterizes the method in very harsh language. My recollection is that he made the statement that if we were not to adopt a civil retirement law, in his opinion this was the very next best thing to be done.

Mr. GILLETT. The gentleman is mistaken in his recollection.

Mr. FITZGERALD. I was of the opinion that that was what the gentleman from Massachusetts believed about it.

Mr. GILLETT. No. Now, as to this question of superannuation, the committee met it in a crude way in the last Congress, which, as I say, was utterly inadequate and which I do not believe they will press when they have the power and are able to put it into effect. So the criticism I make of the committee is not on this bill. I think this bill is a good bill, a much better bill than that of the last session. The criticism I make is that last session they flung out the banner of economy and reform and put through a bill they praised highly because it did not have in it any increases for the Republican administration, and just as they are going to have an administration of their own they abandon that policy and bring in the same kind of a bill that had been going on before and which they so harshly criticized.

Mr. JOHNSON of South Carolina. Will not we have to operate under that bill from March until July of next year?

Mr. GILLETT. Yes.

Mr. JOHNSON of South Carolina. We knew it then as well as we know it now.

Mr. GILLETT. Of course, I had not an idea then that you were going to operate under it for 12 months.

Mr. FITZGERALD. Is it not a fact that all the increases recommended in this bill are positions in the classified service?

Mr. GILLETT. Certainly.

Mr. FITZGERALD. And so far as any party affairs is concerned, there are none.

Mr. GILLETT. That depends upon what you do to the classified service. That is what we are all waiting to see. The gentleman from South Carolina says that only unscrupulous and ignorant persons think there is any hunger for spoils on that side. If that is true, there are many unscrupulous and ignorant persons.

Mr. FITZGERALD. Well, I am not hungry for spoils, neither are my constituents. I have a great many patriotic and competent citizens who believe they can materially improve the character of the administration by being made a part of it.

Mr. MANN. With a fixed salary.

Mr. FITZGERALD. And I hope to have them given an opportunity to demonstrate what they can do.

Mr. GILLETT. That confirms my suspicion that was so criticized by the gentleman from South Carolina.

Mr. FITZGERALD. That does not mean that the classified service is to be utterly demoralized, although in my own opinion there are some positions in the classified service, filled by some Republicans who were covered there by Executive order, which would be very greatly improved by having a change in the occupants.

Mr. GILLETT. I presume that the gentleman from New York has a certain number and other gentleman have a larger number, so that among you all the whole service could be changed and much improved.

Mr. FITZGERALD. I might add this: If the gentleman from Massachusetts [Mr. GILLETT] will give me a list of the places that he knows would be the easiest for me to obtain for my constituents after his long experience with the administrations of his own party I would feel very grateful to him.

Mr. MANN. Mr. Chairman, would the gentleman from New York [Mr. FITZGERALD] be willing to take a list of the places which the gentleman from Massachusetts has been instrumental in filling and be satisfied with them?

Mr. FITZGERALD. Oh, it is very easy to satisfy me.

Mr. MANN. The gentleman is skillfully evading the question.

Mr. FITZGERALD. I do not believe that the gentleman from Massachusetts should be put in a position where he might be forced to confess that perhaps he has not been as arduous in some phases of his work as recent events would make him believe he should have been.

Mr. MANN. Would the gentleman from New York be willing to take the same number of places or the places which have been filled through the instrumentality and personal solicitation of the gentleman from Massachusetts?

Mr. BURLESON. Mr. Chairman, I do not think it is right for the gentleman from Illinois to try and force a declaration from the gentleman from Massachusetts upon that point. It might coerce the gentleman into making a statement that is not exactly founded upon facts.



Mr. MANN. Would the gentleman from Texas be willing to be satisfied with filling the places that have been filled under Republican administrations through my instrumentality?

Mr. FITZGERALD. Oh, no. We know the gentleman has never been persona grata for over 10 minutes in any administration. I wish to announce for myself that I do not intend to put any limitations either upon my activities or my desires to serve to the best of my ability the most intelligent constituency in the United States.

Mr. MANN. It is quite evident that none of the gentlemen are willing to confine themselves. All are after the spoils, red-hot, all the time, chasing them down.

Mr. FITZGERALD. Mr. Chairman, if displacing an incompetent Republican with an efficient Democrat is being after the spoils, then I am after the spoils.

Mr. MANN. And if replacing a competent Republican by an inefficient Democrat is after the spoils the gentleman will still be after the spoils.

Mr. FITZGERALD. Mr. Chairman, that is a situation that can not possibly exist. There are no inefficient Democrats seeking positions, and there are many incompetent Republicans holding them.

Mr. MANN. I have no doubt that that is the attitude of all the Democratic Members.

Mr. GILLETT. Yes. Mr. Chairman, I was going to say that that, I think, pretty well justifies me in putting myself in the class reproached by the gentleman from South Carolina [Mr. JOHNSON]. All Democrats who want office are efficient in the eyes of the majority, and any Republican who is in the place they want is inefficient. We have been wondering what would be their attitude, and this bill is the first indication, and apparently their Spartan self-denial of last session is loosening, and I expect their zeal for economy will steadily diminish and their appetite for spoils increase. I want it to be made clear that I am not criticizing this bill, but it is the last year's humbug that I am criticizing, when they pretended they were not going to increase any office or salary, when they paraded themselves as the great apostles of reform and economy, and now just as soon as they have the administration they desert their past professions.

Mr. SLAYDEN. Mr. Chairman, will the gentleman yield?

Mr. GILLETT. Certainly.

Mr. SLAYDEN. Is not that statement perfectly consistent with the moderate increase that is made necessary by the increase in population?

Mr. GILLETT. There was just as much increase last year as there is this year. They did not give a single increase last year; instead they cut the bill down. Last year it was a Republican administration that they were providing for, and this year it is a Democratic administration that they are providing for. I will agree that the gentleman is correct, that there ought to be, in the natural course of things, an increase every year.

Mr. SLAYDEN. A moderate increase commensurate with actual demands.

Mr. GILLETT. Certainly, there ought to be, and last year it was not given; and the present administration, above any administration I know of, has disclosed a genuine zeal for economy, and has introduced reforms that right here in Washington have cut off the salary list hundreds of thousands of dollars a year. Yet, despite that fact, last year while business was growing not an increase was made.

Mr. BYRNS of Tennessee. Will the gentleman yield?

Mr. GILLETT. Certainly.

Mr. BYRNS of Tennessee. The gentleman speaks of increases in salary. Will the gentleman, for the information of the committee, state the largest increase of salary that is contained in the pending bill?

Mr. GILLETT. Oh, I do not remember.

Mr. BYRNS of Tennessee. Is it not a fact that no increase of salary has been made to a greater extent than \$250?

Mr. GILLETT. I should not wonder.

Mr. BYRNS of Tennessee. And there are not over 12 or 15 increases in the entire bill.

Mr. GILLETT. I think there are more than that, but the amount is not important; it is the principle I am criticizing. Why do not you live up to the principle you laid down last year—a principle that is good enough for a Republican administration? Why do not you follow it when your own administration comes into power? That is my criticism. I am not criticizing the bill, but I am simply stating that you are not following out now the same unintelligent parsimony which you showed last year; and I expect that it was just a prelude to an equally unintelligent prodigality when you will come to appropriate for your own administration.

Mr. JOHNSON of South Carolina. Mr. Chairman, inasmuch as the gentleman from Massachusetts [Mr. GILLETT] can not find anything in this bill to criticize, and is compelled to go back and criticize the bill that was passed at the last Congress, I ask for a reading of this bill.

Mr. BURLESON. Mr. Chairman, every intelligent Member of Congress recognizes that there is a crying necessity for a reform in the classified service of the Government. Members of the House who are chargeable with the responsibility of framing the appropriation bills in recognition of that fact during the past 8 or 10 years have made repeated efforts to effect this reform by embodying paragraphs in appropriation bills dealing with this subject. Of course such paragraphs in appropriation bills are subject to the point of order, and if we should manage to get over the point of order we are in danger of running counter to a presidential veto for attempting legislation on an appropriation bill; but, Mr. Chairman, there is a committee of the House of high standing—

Mr. GILLETT. Will the gentleman allow a question?

Mr. BURLESON. Not now. I will yield to the gentleman in a minute. There is a committee of the House of great influence and high standing chargeable with the duty under our rules of dealing with this subject matter, upon which the grave responsibility is imposed of reporting to this House remedial legislation looking to the correction of this great evil, not only of reorganizing the classified service but also of looking to the elimination of admitted superannuation which exists in all the departments of the Government. That committee was for many years presided over by a very distinguished Republican. I will not charge that the distinguished gentleman has been guilty of neglect of duty, I will not charge that he has idled on the job, but the chairman of the Committee on Reform in the Civil Service in the Sixty-first Congress, in the Sixtieth Congress, in the Fifty-ninth Congress, at any time that he desired to correct this great evil that has been pointed out by the gentleman from Massachusetts, could have assembled that great committee, formulated his proposition of reform in the shape of a bill, and reported it to this House for consideration. Now, Mr. Chairman, it was not the fault of the minority, the Democrats, in the Sixty-first, the Sixtieth, and the Fifty-ninth Congresses that this action was not taken. It was a fault, if I may say so, which rested more with the chairman of the Committee on Reform in the Civil Service than with any other; and I must say that it comes with poor grace from the gentleman from Massachusetts, who held the chairmanship on the Committee on Reform in the Civil Service for so long, to come here now and point out that a feeble effort is being made by the majority at this time to correct some of these manifest abuses that now exist in our Civil Service. If the gentleman had been diligent when he was at the head of the committee which he presided over with such grace and such dignity for so long a time, if he had been diligent in the discharge of his duty, there would not now be substantial basis for the criticism he directs against those who have had the preparation of this bill.

Mr. GILLETT. Mr. Chairman, I am obliged to the gentleman for his suggestion, because he unfortunately is ignorant of the fact, as is quite apt to be the case with that side of the House. He says if I had done my duty as chairman of that committee there would have been such a report. Now, as a matter of fact there was. That committee was called together and that committee worked with great diligence through two Congresses, and it reported a bill which was the result of a vast amount of work upon both these subjects, which I am now criticizing the Committee on Appropriations for neglecting.

Mr. BURLESON. The gentleman's side controlled the House, why did not you put it through?

Mr. GILLETT. I did not control the House; I did the best I could. I did get a report out of the committee in favor of a bill to cure this superannuation and a bill for a reclassification. Those bills the present Committee on Reform in the Civil Service, although I have urged it upon the committee, has paid no attention to; but the Committee on Appropriations, which last year had a rule which made everything in order on a bill, could have undoubtedly with equal ease this year secured just such a rule. They had before them, or might have if they were not all as ignorant as the gentleman from Texas that such bills had been reported—they might have those bills which were reported before them, might have brought them in here and used them as a basis for the bill they made and with the consent of the Committee on Rules brought them up.

It is a reform that is as crying a need for the administration of this Government as anything of which I know—those two points, the reclassification of the service and the cure of superannuation—and yet the majority on that side of the House has done nothing toward it except that preposterous and crude



proposition which was made in the last Congress, and which I will venture to predict that now when they have the three branches of the Government they will not try to put through the next Congress, but will abandon it.

Mr. BURLESON. The gentleman berates this side of the House for failing to do in 6 months what the gentleman failed to do in 14 years.

Mr. GILLET. You might have started it. You had the results of our work before you which you might have taken as a basis.

Mr. SLAYDEN. Is not the superannuation plan a pension bill?

Mr. GILLET. A contributory pension bill.

Mr. FITZGERALD. Mr. Chairman, some features of the gentleman's statement are hardly in accordance with the general gentleness of discourse for which he is noted. As I happened to enter the House the gentleman was endeavoring to point out the fact that the Committee on Appropriations had recommended no increases of compensation during the last session, and that in the pending bill some increases had been made. He seemed to assume that the committee had refused in the last session to recommend any increases because a Republican administration would be the beneficiary of such increases, while their conduct at this time was prompted by the fact that the Democratic administration would be the beneficiary of these increases. The Committee on Appropriations during the last session of Congress, in view of the fact that all branches of the Government had been in complete control of the Republicans for a long period, realizing that the demand existed throughout the country for a halt in the extravagant program that had been followed for years in appropriating and expending public money, laid down a rule that it would not recommend any increases of compensation in any bill reported from that committee, and that unless imperative reasons were shown it would not recommend the creation of any new positions. My recollection is that the Committee on Appropriations made but four recommendations for increases in the bills coming from that committee—one to correct an unintentional reduction of the compensation of a laborer, made by the preceding Congress; two to increase the compensation of laundry women in a tuberculosis hospital in the District of Columbia; and one other that I do not recall. The purpose was to halt the custom that had been in existence of granting indiscriminately favors to those with the largest amount of influence and the most powerful connections. It was attempted to get the estimates on a fair basis in order to be in a position to proceed to do justice in such instances as the future might disclose changes to be necessary. What the committee has done in the present bill is the best answer to the charge that the Democratic committee has attempted to make recommendations that would be for the benefit of a Democratic administration after the knowledge had come to the country that the Democrats were to control the Government after the 4th of next March.

The estimates submitted by this administration for amounts to be carried in the legislative appropriation bill are \$2,298,492.12 in excess of the amount actually appropriated for the current fiscal year, and the committee recommends a bill carrying \$317,627.88 less than the amount enacted in the law for the current year. So that the committee has recommended a bill of two million and about six hundred thousand dollars less than the present administration estimates will be required after the 1st of July to carry on the departmental service. Ample justification was given to a Democratic House very greatly to enlarge the public service in Washington if it had a desire to take any mere petty political advantage of the situation. But, Mr. Chairman, the committee is confronted by the fact that the estimates submitted by the administration for the ensuing fiscal year are \$113,415,455.14 more than the revenues for 1914 estimated by the Secretary of the Treasury, as required by law. This does not take into contemplation the estimates for deficiencies that may for any reason, proper or improper, require additional appropriations during this session; nor does it take into account whatever appropriations may be made for miscellaneous items outside of appropriation bills.

Even if the appropriations, estimated, in round numbers, at \$30,000,000, for the Panama Canal, reimbursable out of the issuance of bonds, be eliminated there will still be a deficit of some \$83,000,000 contrasted with the estimated revenues forecast by the Secretary of the Treasury. In his report to Congress in accordance with the law, in order to wipe out this deficit or make it as low as possible, the Secretary of the Treasury eliminates the \$60,000,000 required under the terms of the sinking-fund act for the redemption of the public debt. Eliminating the amount required for sinking-fund purposes, and also eliminating the \$30,000,000 required for Panama Canal con-

struction purposes, reimbursable out of the bonds authorized to be issued, there will still be a deficit of over \$22,000,000, without taking into consideration deficiencies or miscellaneous items and without considering any authorizations of any character for new river and harbor projects or new public buildings.

It seems to me that, instead of criticizing the Democratic House for making the comparatively few recommendations for increases of compensation of persons in the classified service in the legislative bill, gentlemen on that side of the House might better devote themselves to some discussion or explanation of the very remarkable financing of public operations in which this administration seems to be engaged. I take it that if Congress were to accept the estimates of the various executive departments and appropriate in accordance with them this administration would have the satisfaction of knowing that a Democratic Congress would be required to find at least \$83,000,000 additional to the revenues now available in order to meet the obligations of the Government.

I hope Members of the House will bear these facts in mind during this coming winter, and that in the consideration of legislation designed to fix permanently large annual charges upon the revenues of the Government some attention will be paid to the fact that it is not necessary that Congress shall devote its time to the means by which the public revenues shall be expended, but that it will be necessary to give considerable time and thought to ascertaining sources from which additional public revenues may be obtained. [Applause.]

Mr. MANN. Mr. Chairman, the gentleman from Massachusetts [Mr. GILLET] seems to have provoked some personal criticism of himself by suggestions which he made, which apparently were not understood on the Democratic side of the House. I did not understand the gentleman from Massachusetts to criticize the items of increase of salaries in this bill at all. He merely called attention to the fact that in the last session, when it was uncertain as to who would have control of the Government the next time, the Democrats had taken the position that they would not make any increase of salary, and that at this time they have made some increases to which, I think, he does not object.

The distinguished gentleman from Texas [Mr. BURLESON], who hopes to be in the Cabinet of the next President—and I agree with him in that respect [applause]—suggested that it was the fault of the gentleman from Massachusetts, as the chairman of the Committee on Reform in the Civil Service, that changes have not been made.

I served on that committee for many years with the gentleman from Massachusetts as chairman, and I can testify that there were many rocks placed in the road of his automobile in the line and direction which he sought to run it. I threw some of them myself. [Laughter.] He has worked diligently in this House for many years for the purpose of effecting reforms in the administrative branch of the Government, and no one ought to criticize him for again calling attention to what he believes are necessary reforms, and for criticizing the other side of the House for not bringing in those reforms.

I do not object, Mr. Chairman, to the Committee on Appropriations having made recommendations of increases of salary. I think last year there ought to have been some increases. I have no doubt this year there ought to be some increases. I do not believe that the Committee on Appropriations in making recommendations this year have been influenced by the fact that they were personally interested in the offices where the salaries were increased, or that their party was personally interested in those offices. After a while we will reach the real distinction between Democrats seeking election and Democrats after election, when we are called upon to vote for an extravagant and unnecessary public-building bill and an extravagant river and harbor bill, when the boys really get in their work on the pork-barrel bills which they were afraid to pass at the last session of Congress, but which they determined to have at this session.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For mileage of Senators, \$51,000.

Mr. COX of Indiana. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Indiana offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend by adding after line 4, page 2, the following:

"Provided, That hereafter Members of Congress, Delegates from Territories, the Resident Commissioner from Porto Rico, and the Resident Commissioners from the Philippine Islands shall be paid only their actual traveling expenses while traveling from their homes to Washington City and return on the usual and ordinary route of travel from their legal residence: *Provided*, That said sums of money shall be paid out



upon the certificate of the Members of Congress, Delegates from Territories, the Resident Commissioner from Porto Rico, and the Resident Commissioners from the Philippine Islands, and not otherwise."

Mr. FITZGERALD. Mr. Chairman, I make the point of order that that amendment is not germane to the portion of the bill which has just been read. This portion of the bill deals with the appropriation for the Members and officers of the United States Senate. The amendment suggested by the gentleman covers a great many things not at all relating to the Senate.

The CHAIRMAN. The Chair will hear the gentleman from Indiana [Mr. Cox].

Mr. COX of Indiana. Mr. Chairman, I think the amendment is germane to the subject under consideration. The part of the bill to which the amendment proposes to apply is—

For mileage of Senators, \$51,000.

The subject of inquiry now under consideration is the question of mileage, and anything which relates to that subject is, in my judgment, germane.

Under clause 2 of Rule XXI, known as the old Holman rule, it certainly becomes germane. Anything is in order which tends to reduce the public expenditures and to bring economy in the administration of the affairs of this country. I insist that it is germane because it relates particularly and peculiarly to the subject under inquiry.

The subject under inquiry is that of the mileage of Senators. While it is true that the amendment which I propose here is somewhat broader than the language set out in this paragraph, relating exclusively to the mileage of Senators, and the amendment relates not only to the mileage of Senators but to the mileage of Representatives, Delegates, and Resident Commissioners, I do not believe that under the rules and practices of the House its germaneness is destroyed. The vital question, as far as germaneness is concerned, is the question, Does the amendment relate to the subject under inquiry? If it does, it becomes germane. I do not believe the point of order is well taken.

The CHAIRMAN. Does the gentleman from New York [Mr. FITZGERALD] desire to be heard further on the point of order?

Mr. FITZGERALD. No; I do not.

The CHAIRMAN. It seems to the Chair that this comes within the Holman rule and is germane, for the reason that it applies to Members of Congress and is a limitation on the appropriation.

Mr. MANN. If the Chairman will permit, the portion of the bill under consideration is headed:

Legislative—Senate.

It is a familiar rule that an item which may be germane to a bill may still not be germane to a particular portion of the bill. This amendment is offered in connection with the appropriation for the mileage of Senators, but is not confined to the mileage of Senators. It includes the question of mileage for the Members of the House. The appropriation for mileage of Members of the House is carried in an entirely different portion of the bill.

The CHAIRMAN. The Chair will ask the gentleman from Illinois a question in that connection.

This paragraph simply appropriates for the mileage of Senators, while the amendment undertakes to designate the amount of money that may be received either by a Senator or by a Member of the House?

Mr. MANN. Yes.

The CHAIRMAN. If this amendment is adopted here, would it not apply equally to Members of the House, although the appropriation for their mileage is made at a different point in the bill?

Mr. MANN. It would apply if it were offered at that point in the bill.

The CHAIRMAN. Even if this amendment is not offered at that point, this being a limitation on the appropriation made elsewhere for the mileage of Members of the House, it seems to the Chair that it would apply to that appropriation wherever made.

Mr. FITZGERALD. There is no appropriation in this paragraph for mileage for Members of the House, and an amendment providing for mileage for Members of the House, Delegates and Commissioners would not be in order at this point, because it would not be germane. At this point provision is made to pay the mileage of Senators. Any amendment to be in order at this point must be germane. An amendment proposing to reduce the stationery allowance of Members of the House would not be in order here. No more is an amendment to control the amount of mileage to be paid a Member.

The CHAIRMAN. Does the gentleman from New York contend that a limitation on the amount of mileage received by Senators would not be in order?

Mr. FITZGERALD. That is not this question. The question is much more comprehensive than that; it embraces Members of the Senate and Members of the House, Delegates, and Resident Commissioners. An amendment affecting them is not germane to a provision confined exclusively to Members of the Senate.

Mr. MANN. Mr. Chairman, personally, I doubt whether the amendment is permissible under the provisions of the Holman rule. But I am inclined to think that both the gentleman from New York and myself are mistaken. An amendment if it was offered is germane to this portion of the bill affecting the mileage of Senators, and if the item was offered as to the mileage of Senators, I think an amendment to that effect as to the mileage of the Members of the House would be in order, and if so, it is in order as originally offered in one item.

The CHAIRMAN. The Chair is ready to rule unless the gentleman from Indiana wishes to be heard.

Mr. COX of Indiana. Mr. Chairman, I do not think I have anything further to say except that I think it comes clearly under article 2, Rule XXI, what is known as the Holman rule, and, as I said a moment ago, I think it is germane. What is the subject under inquiry? It is the question of mileage. True, the paragraph relates to the mileage of Senators, but as the Chairman knows, Senators are Members of Congress exactly as are Members of the House, and because my amendment brings in two more classes of persons who are Members of this same body, to wit, the Resident Commissioner of Porto Rico and the Commissioners of the Philippine Islands, yet I insist that that does not destroy the germaneness of the amendment which I offer.

The Chair, of course, is conversant with the rule to which I have referred. It reads, in part:

Nor shall any provision in any such bill or amendment thereto changing existing law be in order, except as such as being germane to the subject matter of the bill, shall retrench expenditures by the reduction of the number and salary of the officers of the United States, by the reduction of the compensation of any person paid out of the Treasury of the United States, or by the reduction of the amounts of money covered by the bill.

And so forth.

It seems to me, Mr. Chairman, that the amendment I have proposed to the bill comes squarely within that part of the rule. It is germane because the subject of inquiry is that of the mileage of a part of the Members of the Congress of the United States, because my amendment uses language which covers two or three other persons, yet the subject to which my amendment already applies is that of mileage, and I insist it is germane.

The CHAIRMAN. This amendment proposes to cut down or limit the mileage allowed to Senators, Members of Congress, Resident Commissioners, and Delegates. If it applied only to Senators it would undoubtedly be germane to this paragraph, but it is a broader amendment than that and applies to all Members of Congress. Now if an amendment, as suggested by the gentleman from Illinois, was offered to limit the mileage of Senators had been submitted, an amendment to that amendment to include Members of the lower House of this body would have been in order. So it seems to the Chair that since the amendment embraces both of the subjects that would have been in order it is germane, and the Chair overrules the point of order.

Mr. COX of Indiana. Mr. Chairman, I do not desire to take much of the time of the House in discussing this question, because it has been discussed on the floor of the House time and time again. I do not know that I can add anything to what has been said on this subject by men abler than I am to present it. But, Mr. Chairman, I do believe that this amendment should carry and that it should be made permanent law. I think the Appropriations Committee last winter and summer did splendid work in reducing the appropriations, and I think they should be commended for it, and I have no doubt that their splendid work in reducing the appropriations was echoed throughout the country during the campaign and materially aided the Democratic Party in achieving the splendid victory in the November election.

The appropriations last year were reduced something like \$31,000,000 below what any previous Congress had made them. I have believed for some time that it was the odds and ends of Congress in making appropriations that the people have a meritorious right to protest against. The people have no right to object, nor do I believe they do object, against meritorious appropriations, made to legitimately run the Government. It will not be contended by any Member of this House for a moment that it costs him 20 cents per mile each way to travel from his home to the city of Washington and return by the usual and ordinary routes of travel between his residence and the Capital.



In fact, it can not possibly cost him 20 cents per mile. Almost all railroads in the country sell tickets for 2 cents per mile, and this, with sleeping-car berths and meals en route, does not amount to 5 cents per mile. There is not a Member of the House, though he live at the remotest corner or section of the United States, who can not travel from his home to Washington City on 5 cents a mile or less.

It is not so much a question of saving this amount of money, though this is an item to be considered, as it is the principle involved in the case. When the Democratic Party got control of this House a little over a year ago it began with its pruning knife. It lopped off a tremendous lot of useless jobs here and there, and which were conceded to be useless, because, after cutting out these useless jobs, the organization of the House moved right on, showing that the jobs disposed of had been useless, so far as efficiency of the organization of the House is concerned.

I believe that the cutting out of these useless jobs saved the Government approximately \$180,000 per year in the way of salaries. Another practice has grown up here to which I could not subscribe, and that was allowing the employees of the House a month's extra salary. This was cut out by the Democratic caucus and saved the country approximately \$65,000. I believe the country agreed with the Democratic Party, when in caucus assembled, that it did right in abolishing the large number of useless jobs and cutting out the extra month's pay for the employees of the House.

What kind of position have we got ourselves into by this kind of legislation? Let me appeal to you, my Democratic friends, who propose to stand for economy, to look this question squarely in the face. Are we doing justice, are we doing right, when we say to the little employee who travels from the Pacific coast, at a cost to him of from \$65 to \$100, making a trip here to fill a position the salary of which ranges from \$1,200 to \$1,500 per year or less, we will deny him his extra month's salary, which was given to him for the purpose of compensating him for his mileage, and at the same time refuse to repeal our 20 cents per mile and allow ourselves to be paid our actual traveling expense? Is this justice? Is it right to refuse to allow the employees of the House their month's salary in lieu of mileage and at the same time refuse to repeal the law allowing us 20 cents per mile each way for going and returning, and in lieu of that allow ourselves actual traveling expenses when this is more than we are giving to the employees of the House?

Mr. BYRNS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. COX of Indiana. Certainly.

Mr. BYRNS of Tennessee. Mr. Chairman, I want to say to the gentleman that I am thoroughly and heartily in sympathy with the purpose of his amendment, and I have taken occasion to say so several times upon this floor. I want to ask the gentleman, with reference to the amendment as it is drawn, if it is not, as a matter of fact, possible under that amendment, as it was read from the Clerk's desk, for Members of the House to go back and forth from their homes and the city of Washington any number of times during the session and collect actual traveling expenses for each trip?

Mr. COX of Indiana. I do not believe so.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. COX of Indiana. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection? There was no objection.

Mr. COX of Indiana. The language used by me in the amendment read from the desk follows very closely the language of the old statute, which allows Members to collect 20 cents per mile each way, going and returning by the usual routes of travel.

Mr. BYRNS of Tennessee. Does not the gentleman think, in order that there may be no question about it, that he better provide expressly upon the face of the amendment that it should be paid only once during each session?

Mr. COX of Indiana. If the gentleman has any question about it, I would be very glad to accept such an amendment.

Mr. BYRNS of Tennessee. I am just suggesting that to the gentleman.

Mr. COX of Indiana. Mr. Chairman, I do not believe that the amendment I have offered will permit a Member of Congress to charge for different trips. In any event, I take it that no Member of Congress would undertake to charge for more than one trip. I regard Members of Congress as being high-priced men, and I would not believe for a moment that any Member, even though the amendment which I have offered might permit him to do so, would charge for extra trips to his

home. I do not think he would do it, because of the moral obloquy he would undoubtedly bring upon himself if he attempted to do so.

Mr. KINDRED. Mr. Chairman, will the gentleman yield?

Mr. COX of Indiana. Certainly.

Mr. KINDRED. Mr. Chairman, I am sorry that I lost the drift of what the gentleman said on this phase of the subject. How many trips does the gentleman's amendment anticipate?

Mr. COX of Indiana. One here and one home. Mr. Chairman, a year ago last summer I looked into the question of mileage with some considerable degree of care. It is much broader than the mere question of mileage to Members of Congress. I give it as my sincere judgment that this country could save approximately a million dollars a year by looking into the mileage proposition. The officers of the Army while traveling on duty are allowed 7 cents a mile while coming and going to and from their posts of duty. A short time ago I asked the War Department to furnish me with vouchers or copies of vouchers for travel pay of officers, the appropriation of which was something like \$500,000, and on reading these vouchers I found some exceedingly interesting reading. For instance, each year a tremendous amount of money is paid out to officers of the Army at the rate of 7 cents per mile while traveling from one point to another for the sole purpose of taking test rides. If this was remedied and the officers of the Army put on actual expense basis, it would save the people a tremendous sum of money each year.

The statute allowing Members of Congress 20 cents per mile was passed in 1799, long before the era of railroads in this country and at a time when travel was made on foot, on horseback, and conveyance, and at a time when, no doubt, it cost the Members of Congress at least 20 cents per mile each way to make the journeys from their homes to the capital and return. For instance, Members living in New England and in Georgia, where they had to travel 600 or 700 miles in order to reach the capital, and over poor roads which no doubt existed at that time, and being several days on their journey, no doubt but what it cost them at least 20 cents per mile to make their journey; but to-day when the remotest sections of our country, the United States, can easily be reached by rail in four or five days' travel, with fare reduced on all trunk-line railroads to 2 cents per mile, there is no reason why the old statute passed in 1799 should not be either repealed outright or amended so as to meet improved conditions of travel of to-day.

At the time when the old statute was enacted the salary of Members of Congress was \$7 per day, and the salary has been increased from time to time, until to-day it is \$7,500 per year. To repeal the old statute or to amend it by paying actual traveling expense is in line of progress with the interests of the day. I know of no business house in this country that pays its employees mileage, but all of them pay their employees actual traveling expenses, and these expenses are paid out on vouchers furnished by the employees.

Mr. Chairman, we can not in good faith remedy the mileage evil as I think it exists in other branches of the Government to-day so long as we fail to remedy our own mileage. The law should either be repealed outright or should be amended so as to pay each Member his actual traveling expenses. This is fair, just, and equitable and is in line with progressive business interests of the country.

Mr. SIMS. Mr. Chairman, the gentleman from Indiana [Mr. Cox] is talking about a reform making a large saving. I am not taking issue with him on that point, but why should not the gentleman go further? I think when a man is elected to this House and paid a salary for his services the Government ought to be entitled to his entire time. We are asked here daily to excuse Members from attendance upon the sessions of the House on account of important business. Under the rules of the House, when a Member is absent without leave—

Mr. COX of Indiana. Is the gentleman addressing that to me?

Mr. SIMS. The gentleman from Indiana was talking on the subject, and I want to invite the gentleman's attention to this point: Under the rules of the House, perhaps the law—I am not sure about that—when a Member is absent without leave he forfeits his salary, and yet we every day excuse men from attendance on the House on account of important business. If the gentleman will figure upon that he will find that perhaps he can save the Treasury a great deal by deducting the salary from Members who are absent on important business by refusing to permit them to leave this House to attend to important private business. I admit that when a man's family, or a member of same, is ill, or something of that sort, that he should be permitted to leave and remain away during such illness; but when Members leave to attend to business that pays them better than their salary, why should not they forfeit the salary for



the time they have been away attending preferably to important private business? I do not desire the gentleman to understand me as making a speech in opposition to his amendment; but since the gentleman has started on a line of economy, why not pursue it in this direction and not have the whip of this House wear himself out to get a quorum here at times when it is very important to have one because gentlemen are excused by this House on account of important business. It seems to me while the gentleman is advocating reforms—and I think he is perfectly sincere—that he might urge reforms all along the line and refuse any Member of this House leave to be absent simply because he has important business, and thereby he will save many more thousands of dollars than he is now trying to save to the Treasury and at the same time expedite the legislation of this House very materially; and yet when we hear read from the desk that Mr. A or Mr. B asks leave of absence for 10 days on account of important business I do not hear the gentleman from Indiana or anybody else object.

Mr. BUTLER. How do you save the Treasury when he is here?

Mr. FITZGERALD. Mr. Chairman, this question of mileage has been discussed in the House during my entire 14 years of service. From time to time various Members have suggested that the amount of mileage allowed to Members be reduced. I have very little interest in the matter; that is why I have at times participated in the discussion. The amount of money paid to me each session of Congress under the law is \$92, so that it makes little difference whether we abolish the mileage, reduce the rate, or fix some other basis upon which it shall be paid. The Committee on Appropriations reports the amount necessary to pay the amount of mileage under the existing law. It did not take up or discuss or consider the advisability of changing the present allowance. During the present Congress at each of the two previous sessions the matter was presented, debated, and decided in the House, and upon each occasion the House by a substantial majority determined that it would not change the rate of mileage.

In view of those circumstances, the committee presented the bill carrying the amount necessary to pay mileage in accordance with existing law. I do not care at this time to discuss at length the necessity, the advisability, or the propriety of changing the present rate. Members from a long distance who are compelled to close their homes and move their families—in many instances part of their household goods—and establish themselves in Washington for a period running from four to eight or nine months, insist that the expense incident to such change or transfer of residence for themselves and their families is not more than met by the allowance under this statute. Arguments have been made that the purpose was not only to cover the personal traveling expenses of the Member himself, but to compensate him for all the expenditures necessitated by the transfer of his family and his home to the capital during the period he is required to remain here. All the reasons for and against the present rate and proposed change of rate are familiar to the Members of the House. I think we can easily determine the question without very much discussion.

Mr. SISSON. Mr. Chairman, I will detain the House for but a moment. I do not know that the amendment is so drawn that it would limit the Members to only one trip, but the proponent of the amendment states to me that that is his purpose and his intention. My objection to the present system of paying mileage is this: The gentlemen who live within a few miles of the Capital get a very small or practically no compensation at all. A man living at the distance from the Capital that I do gets something like \$400 mileage. Those out West get over \$1,000 mileage.

Now, the original discussion in reference to mileage paid in the First Congress hung upon this proposition, that the compensation of all Members of Congress should be the same. Therefore, in settling the question as to the location of the Capital, it was arranged so that those people who lived close to the Capital, who would have to pay but little money to get here, and those who lived a long distance from the Capital, who would have to pay a great deal more to reach the Capital, should get the same amount of salary. Under the old rules of traveling by stagecoach the amount paid originally was to pay actual traveling expenses for one round trip. Now, this mileage proposition presents an inequality of compensation which is not justified. I would prefer, rather than to have items for all sorts of expenses paid, to have a mileage basis such that it would be fixed by law, say 5 cents a mile for each way. That would certainly cover the expenses of a man and his wife, because you only pay now about 2 cents a mile for traveling expenses. Nor do I think it absolutely necessary that the expenses of the entire household should be borne by the Federal Government in

getting to the Capital. I shall vote for the amendment which is offered by the gentleman from Indiana [Mr. Cox], but I hope he will so word the amendment that it can be beyond question that only one mileage shall be allowed.

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. MANN. Mr. Chairman, there never will be any entirely satisfactory solution of the question of the payment of expenses for Members coming to Washington from their homes, because there is no way, of which I know, at least, of absolutely equalizing the matter. It would be a very easy matter to provide for the payment of expenses of the Member of Congress himself, and if it is the desire of Congress to have men come here from home and leave their families behind, that is a very good way to proceed. I would much rather have a Congress composed of Members with their families here, and men living with their families in Washington than have the families of Members at home and Members carousing here in Washington, because that is almost the inevitable effect. There is not a legislature in this country at any State capital where members go to the legislature for a few days in the week by themselves and go home at the end of the week, where they transact business with the same degree of propriety and sobriety as is done in Washington, where Members come and bring their families with them.

Now, there is no equitable way that I know of fully determining the method of expenditure for bringing a man's family here. The gentleman from Mississippi [Mr. Sisson] suggests that 5 cents a mile each way will bring a man and his wife here. I do not know where it will do that. Possibly it will from Chicago, but I do not know. I know of no place in the country generally where you can travel at that rate. But a man and his wife are not the only members of many families. It is desirable that men who are elected to Congress have the ability to bring their children here, who ought to be under the control of the father and the mother. It is immaterial to me whether this amendment is agreed to or whether they pay mileage at all; but I know Members in this House whose mileage does not cover the expenditures which they make to bring their families to Washington. I believe that it is to the interest of the Government that the families of Members do come, as far as it is possible to bring them.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Indiana [Mr. Cox].

Mr. COX of Indiana. Mr. Chairman, there seems to be some question about the amendment. I ask unanimous consent to insert in my amendment the following words: "going to and returning from each session, for one trip only."

The CHAIRMAN. The gentleman from Indiana asks unanimous consent to amend his amendment in certain particulars named by him. Is there objection?

There was no objection.

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from Indiana.

Mr. CANNON. What is the amendment?

The CHAIRMAN. The amendment will be reported again.

The Clerk read as follows:

After the word "residences" insert "in going to and returning from each session, for one trip only."

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from Indiana.

The question was taken, and the Chairman announced that the "noes" appeared to have it.

Mr. COX of Indiana. A division, Mr. Chairman.

The House divided; and there were—ayes 21, noes 37.

Mr. COX of Indiana. I make the point that there is no quorum present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and three Members are present—a quorum. The Clerk will read.

The Clerk read as follows:

Office of the Vice President: Secretary to the Vice President, \$4,000; messenger, \$1,440; telegraph operator, \$1,500; telegraph page, \$600; in all, \$7,540.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I would like to inquire what are the duties of the telegraph operator to the Vice President and of the telegraph page. We abolished the telegraph instruments in the House apparently without any detriment to anyone except those who held the places. But why does the Vice President need a telegraph operator and a telegraph page—both?

Mr. JOHNSON of South Carolina. I will say to the gentleman that the telegraph office at the Senate end of the Capitol is not exclusively for the use of the Vice President, nor is the page exclusively for his use. It is simply a convenience provided for the use of the Senate.



Mr. MANN. That applies to the telegraph operator provided for by the Senate?

Mr. JOHNSON of South Carolina. Yes; to the telegraph operator provided for by the Senate. The Vice President appoints the messenger.

Mr. PALMER. Mr. Chairman, is it not a fact that the appropriation for the maintenance of this telegraph wire that formerly ran between the Capitol and the departments has been discontinued?

Mr. JOHNSON of South Carolina. Only as to the House of Representatives.

Mr. PALMER. Do they still maintain a telegraph line from the Capitol around to the departments?

Mr. JOHNSON of South Carolina. I understand that they do.

Mr. PALMER. It ought to be cut out.

Mr. MANN. I agree with the gentleman from Pennsylvania that it ought to be cut out.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Office of Secretary: Secretary of the Senate, including compensation as disbursing officer of salaries of Senators and of the contingent fund of the Senate, \$6,500; hire of horse and wagon for the Secretary's office, \$420; Assistant Secretary, Henry M. Rose, \$5,000; chief clerk, \$3,250; financial clerk, \$3,000 and \$1,250 additional while the office is held by the present incumbent; minute and journal clerk, principal clerk, reading clerk, and enrolling clerk, at \$3,000 each; executive clerk, and assistant financial clerk, at \$2,750 each; librarian, file clerk, chief bookkeeper, assistant journal clerk, two clerks, printing clerk, and clerk compiling a history of revenue bills, at \$2,500 each; first assistant librarian, \$2,400; keeper of stationery, \$2,400; compiler of Navy Yearbook and Senate report on river and harbor bill, \$2,220; indexer for Senate public documents and two clerks, at \$2,220 each; two clerks, at \$2,100 each; assistant librarian, \$1,800; assistant librarian, \$1,600; skilled laborer, \$1,200; clerk, \$1,800; clerk, \$1,600; assistant keeper of stationery, \$2,000; assistant in stationery room, \$1,200; messenger, \$1,440; assistant messenger, \$1,200; three laborers, at \$840 each; three laborers, at \$720 each; laborer in stationery room, \$720; in all, \$94,040.

Mr. CULLOP. Mr. Chairman, I desire to reserve a point of order against the following in the bill, on lines 16 and 17: "And \$1,250 while the office is held by the present incumbent." I desire to reserve a point of order against that part of it. I would like to ask the author of the bill or the gentleman in charge of the bill a question about that. Is the salary of this officer, the financial clerk, fixed by law at \$3,000 a year?

Mr. JOHNSON of South Carolina. No.

Mr. CULLOP. Why is it that it is proposed in this bill to say that this incumbent shall have an increase of \$1,250 while he holds the office?

Mr. JOHNSON of South Carolina. This appropriation has been carried in the bill for many years. It was put in by the Senate, and under the rules of comity that obtain between the House and the Senate we have no means of inquiring into the propriety of those expenditures that they make for their convenience and comfort.

Mr. FITZGERALD. Mr. Chairman, there is a different reason. The occupant of this place has not only occupied it for many years, but he is a peculiarly expert man. The Senate has done with reference to this officer what the House has done with reference to the clerk of the Committee on Appropriations. Everybody recognizes his peculiar fitness. They did not fix the compensation above a certain amount, but they felt that because of long years of faithful and efficient service this particular officer, while occupying the place, should be paid this additional sum, and that when he went out of the office his successor would be paid what it had been customary to pay prior to the time it was thought proper to give him this promotion.

Mr. CULLOP. With all due deference to that explanation, I think it would be proper, if the salary is to be raised, to raise it in the regular way. Everybody knows that if this is carried in this manner in the appropriation bill it means that this will be the permanent salary.

Mr. FITZGERALD. Oh, no.

Mr. CULLOP. That it will be the salary of the successor of this man. I do not think that is a proper way to raise the salaries of officers. If he is worth \$1,250 a year more than the salary, his salary ought to be increased by the amount of \$1,250 a year, and we ought not to carry it along in this way, in my judgment, because it means the fixing of the permanent salary at \$4,250 a year.

Mr. FITZGERALD. The gentleman is absolutely mistaken. Mr. Cleaves, who was connected with the Committee on Appropriations in the Senate for about 36 years, received during the latter years of his service \$1,000 additional to the usual compensation. Provision was made that during his incumbency that additional sum should be paid to him. When he died and his successor was appointed, that additional \$1,000 was dropped out of the appropriation bill. The purpose was to make it pos-

sible to fix adequate compensation for the men who, regardless of the change of political control of these two Houses, are retained, and perform faithful and peculiarly efficient service, by giving them additional compensation. When they go out of office, their successors are given the compensation fixed for the places.

The disbursing officer of the Senate has been receiving this compensation for many years, and it would be manifestly unfair to him at this time to attempt to reduce his compensation \$1,250.

Mr. CULLOP. How long has this gentleman held this position?

Mr. FITZGERALD. The clerk of the Committee on Appropriations says he has been there about 40 years.

Mr. CULLOP. How long has this item been carried in the bill in this way to the increased salary?

Mr. FITZGERALD. Six or eight years.

Mr. CULLOP. I think it ought to be dropped, and I move to amend by striking out, in lines 16 and 17, the words "and \$1,250 additional while the office is held by the present incumbent."

The CHAIRMAN. The gentleman from Indiana [Mr. CULLOP] withdraws his point of order and offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend, page 2, lines 16 and 17, by striking out, after the figures "\$3,000," the words "and \$1,250 additional while the office is held by the present incumbent."

Mr. FOWLER. Mr. Chairman, I desire to reserve a point of order against this paragraph. I was on my feet for the purpose of doing so when the point of order was reserved by the gentleman from Indiana [Mr. CULLOP].

The CHAIRMAN. The gentleman from Illinois reserves the point of order against the item.

Mr. FITZGERALD. Is the gentleman going to make the point or not? This is the salary that this man has been receiving. If the gentleman intends to make the point of order, let him make it.

Mr. FOWLER. I make the point of order, Mr. Chairman.

Mr. FITZGERALD. I wish to submit to the Chair that it is not subject to the point of order. This man is receiving this particular sum for the current year, and under the rulings of the Chair where the compensation of an officer is not fixed by statute his compensation is the amount which he receives in the current appropriation act. This particular compensation, expressed in this particular form, is the compensation fixed by the current law.

The CHAIRMAN. The Chair does not understand whether this salary is fixed by statute.

Mr. FITZGERALD. It is not. It is only fixed by the current appropriation law.

Mr. CULLOP. Mr. Chairman, that was the reason why I made my motion to amend instead of making the point of order, because the gentleman from New York [Mr. FITZGERALD] had answered me that the salary was not fixed by law.

The CHAIRMAN. If this compensation is not statutory, the point is not well taken. If the gentleman from Illinois [Mr. FOWLER] has any statute provision fixing this salary, the Chair will hear it.

Mr. FOWLER. Mr. Chairman, I do not know whether there is a statute fixing this salary or not. I presumed that there was, as the salary had been fixed at \$3,000 and the appropriation for this has been carried for many years past at that amount. I have not taken the pains to look up this salary as to whether it is fixed by law or not. This bill came in and was printed last night, and this morning was the first opportunity I had for the purpose of making an examination of the bill.

The CHAIRMAN. The precedents are to the effect that where the salary is not fixed by statute the past and current appropriations make it law, and therefore the Chair overrules the point of order. The question recurs on the amendment offered by the gentleman from Indiana to strike out certain language.

The question was taken, and the amendment was lost.

The Clerk read as follows:

Clerks and messengers to the following committees: Additional Accommodations for the Library of Congress—clerk \$2,220, messenger \$1,440; Agriculture and Forestry—clerk \$2,500, assistant clerk \$1,800, messenger \$1,440; Appropriations—clerk \$4,000, two assistant clerks at \$2,500 each, two assistant clerks at \$1,440 each, messenger \$1,440, laborer \$720; To Audit and Control the Contingent Expenses of the Senate—clerk \$2,500, messenger \$1,440, messenger \$1,200; Canadian Relations—clerk \$2,220, messenger \$1,440, messenger \$1,200; Census—clerk \$2,220, assistant clerk \$1,200, messenger \$1,440; Civil Service and Retrenchment—clerk \$2,220, messenger \$1,440, messenger \$1,200; Claims—clerk \$2,500, assistant clerk \$2,000, assistant clerk \$1,440, messenger \$1,200; Coast and Insular Survey—clerk \$2,220, messenger \$1,440; Coast Defenses—clerk \$2,220, assistant clerk \$1,440, messenger \$1,200; Commerce—clerk \$2,500, assistant clerk \$1,800, messenger \$1,440; Conference Minority of the Senate—clerk \$2,220, assistant

clerk \$1,800, messenger \$1,200; Conservation of National Resources—clerk \$2,220, assistant clerk \$1,200, messenger \$1,440; Corporations Organized in the District of Columbia—clerk \$2,220, messenger \$1,440; Cuban Relations—clerk \$2,220, assistant clerk \$1,440, messenger \$1,200; Disposition of Useless Papers in the Executive Departments—clerk \$2,220, messenger \$1,440; District of Columbia—clerk \$2,500, assistant clerk \$1,800, messenger \$1,440; Education and Labor—clerk \$2,220, assistant clerk \$1,440, messenger \$1,200; Engrossed Bills—clerk \$2,220, messenger \$1,440; Enrolled Bills—clerk \$2,220, assistant clerk \$1,440; To Examine the Several Branches of the Civil Service—clerk \$2,220, messenger \$1,440; Expenditures in the Department of Agriculture—clerk \$2,220, messenger \$1,440; Expenditures in the Department of Commerce and Labor—clerk \$2,220, messenger \$1,440; Expenditures in the Interior Department—clerk \$2,220, messenger \$1,440, messenger \$1,200; Expenditures in the Department of Justice—clerk \$2,220, assistant clerk \$1,440; messenger \$1,440; Expenditures in the Navy Department—clerk \$2,220, messenger \$1,440, messenger \$1,200; Expenditures in the Post Office Department—clerk \$2,220, messenger \$1,440, messenger \$1,200; Expenditures in the Department of State—clerk \$2,220, messenger \$1,440; Expenditures in the Treasury Department—clerk \$2,220, messenger \$1,440, messenger \$1,200; Expenditures in the War Department—clerk \$2,220, messenger \$1,440, messenger \$1,200; Finance—clerk and stenographer \$3,000, assistant clerk \$2,220, assistant clerk \$1,600, assistant clerk \$1,440, messenger \$1,440; Fisheries—clerk \$2,220, assistant clerk \$1,440, messenger \$1,440; Five Civilized Tribes of Indians—clerk \$2,220, messenger \$1,440; Foreign Relations—clerk \$2,500, assistant clerk \$2,220, messenger \$1,440; Forest Reservations and Protection of Game—clerk \$2,220, messenger \$1,440; Geological Survey—clerk \$2,220, messenger \$1,440; Immigration—clerk \$2,220, assistant clerk \$1,800, messenger \$1,440; Indian Affairs—clerk \$2,500, assistant clerk \$1,440, messenger \$1,440; Indian Depredations—clerk \$2,220, messenger \$1,440; Industrial Expositions—clerk \$2,220, messenger \$1,440, messenger \$1,200; Intercoastal Canals—clerk \$2,220, assistant clerk \$1,440, messenger \$1,200; Interstate Commerce—clerk \$2,500, two assistant clerks at \$1,800 each, messenger \$1,440; To Investigate Trespassers on Indian Lands—clerk \$2,220, messenger \$1,440; Irrigation and Reclamation of Arid Lands—clerk \$2,220, messenger \$1,440, messenger \$1,200; Judiciary—clerk \$2,500, assistant clerk \$2,220, two assistant clerks at \$1,800 each, messenger \$1,440; Joint Committee on the Library—clerk \$2,500, assistant clerk \$1,440, messenger \$1,200; Manufactures—clerk \$2,500, assistant clerk \$1,440, messenger \$1,440; Military Affairs—clerk \$2,500, assistant clerk \$2,220, assistant clerk \$1,440, messenger \$1,200; Mines and Mining—clerk \$2,220, messenger \$1,440, messenger \$1,200; Mississippi River and Its Tributaries—clerk \$2,220, messenger \$1,440; National Banks—clerk \$2,220, messenger \$1,440; Naval Affairs—clerk \$2,500, assistant clerk \$1,440, messenger \$1,440; Pacific Islands and Porto Rico—clerk \$2,220, assistant clerk \$1,800, messenger \$1,440; Pacific Railroads—clerk \$2,220, messenger \$1,440; Patents—clerk \$2,220, messenger \$1,440, messenger \$1,200; Pensions—clerk \$2,500, assistant clerk \$1,800, three assistant clerks at \$1,440 each, messenger \$1,440; Philippines—clerk \$2,220, assistant clerk \$1,800, messenger \$1,440; Post Offices and Post Roads—clerk \$2,500, three assistant clerks at \$1,440 each, messenger \$1,440; clerk of printing records \$2,220, assistant clerk \$1,800, messenger \$1,440; Private Land Claims—clerk \$2,220, assistant clerk \$1,800; Privileges and Elections—clerk \$2,220, assistant clerk \$1,440, messenger \$1,440; Public Buildings and Grounds—clerk \$2,500, assistant clerk \$1,440, messenger \$1,440; Public Health and National Quarantine—clerk \$2,220, assistant clerk \$1,440; Public Lands—clerk \$2,500, assistant clerk \$1,800, assistant clerk \$1,440, messenger \$1,440; Railroads—clerk \$2,220, messenger \$1,440; Revolutionary Claims—clerk \$2,220, messenger \$1,440; Rules—clerk \$2,220, assistant clerk \$1,800, messenger \$1,440; Standards, Weights, and Measures—clerk \$2,220, messenger \$1,440; Territories—clerk \$2,220, assistant clerk \$1,440, messenger \$1,440; Transportation and Sale of Meat Products—clerk \$2,220, messenger \$1,440; Transportation Routes to the Seaboard—clerk \$2,220, messenger \$1,440; University of the United States—clerk \$2,220, messenger \$1,440; Woman Suffrage—clerk \$2,220, messenger \$1,440; in all, \$370,940.

Mr. FOSTER. Mr. Chairman, I move to strike out the last word. I want to inquire of the gentleman in charge of the bill in relation to these clerks. I observe here that it has provided for clerks in the Senate to the amount of \$370,940, while for the clerks of the House the amount is \$162,230. I realize that this has been the practice for some time, but I want to inquire if the committee has ever made any investigation in reference to this matter of the great difference in the amount between the two Houses—the amount appropriated for the Senate clerks and messengers and janitors and those of the House. For instance, in the Post Office and Post Roads they have a clerk at \$2,500, three assistants at \$1,440 each, and a messenger at \$1,440; while in the House Post Office and Post Roads Committee, the committee that prepares the bill and gets it ready, they only have a clerk at \$2,500 and an assistant clerk at \$1,400 and a janitor at \$1,000. There seems to be a great difference in these two items.

Mr. BUTLER. Senators have more post offices than Members of the House.

Mr. FOSTER. The question with me is whether the committee has ever investigated this matter to ascertain if there was any real necessity for this large number of clerks or is it simply because the Senate has asked for them?

Mr. JOHNSON of South Carolina. The Committee on Appropriations of the House has no means of ascertaining the value of the work of clerks to Senate committees. I will say that the conference committee on the last legislative bill held out for many days and weeks against what the Senate was asking for, but it is simply impossible to get this bill through without giving them the clerical help they think they need.

Mr. FOSTER. So they simply make the claim that they need this great number of clerks.

Mr. JOHNSON of South Carolina. We can not contradict their statement or prove that it is not true.

Mr. COX of Indiana. Mr. Chairman, I want to ask a question. I have not had time to compare the present bill with the last bill, but I want to ask the gentleman in charge of the bill when did the clerk to the Committee on Woman Suffrage creep into the appropriation bill?

Mr. JOHNSON of South Carolina. I do not know, but they have such a committee there and it has a chairman.

Mr. COX of Indiana. This is the first time that I ever saw it carried in an appropriation bill.

Mr. FITZGERALD. It has been in the bill right along.

Mr. COX of Indiana. For how many years?

Mr. FITZGERALD. I do not remember, but long enough.

The Clerk read as follows:

Office of Sergeant at Arms and Doorkeeper: Sergeant at Arms and Doorkeeper, \$6,500; horse and wagon for his use, \$420, or so much thereof as may be necessary; Assistant Sergeant at Arms, \$2,500; Assistant Doorkeeper, \$2,592; Acting Assistant Doorkeeper, \$2,592; 4 messengers, acting as assistant doorkeepers, \$1,800 each; 37 messengers, at \$1,440 each; 2 messengers on the floor of the Senate, at \$2,000 each; messenger at card door, \$1,600; clerk on Journal work for CONGRESSIONAL RECORD, to be selected by the official reporters, \$2,000; storekeeper, \$2,220; upholsterer and locksmith, \$1,440; cabinetmaker, \$1,200; 3 carpenters, at \$1,080 each; janitor, \$1,200; 4 skilled laborers, at \$1,000 each; skilled laborer, \$900; laborer in charge of private passage, \$840; 3 female attendants in charge of ladies' retiring room, at \$720 each; chief telephone operator, \$1,200; 2 telephone operators, at \$900 each; night telephone operator, \$720; telephone page, \$720; superintendent of press gallery, \$1,800; assistant superintendent of press gallery, \$1,400; laborer, \$840; 27 laborers, at \$720 each; 16 pages for the Senate Chamber, at the rate of \$2.50 per day each during the session, \$8,440; in all, \$136,244.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I notice an item is carried here for pages for the session at two and a half dollars per day. The computation is for 211 days. I notice that the bill provides that wherever the words "during the session" occur it shall mean 211 days from December 1 to June 30.

Mr. JOHNSON of South Carolina. These estimates were submitted by the Secretary of the Treasury.

Mr. MANN. I understand that the arithmetical computation was made by the Secretary of the Treasury, but probably not personally. It amounts to 212 days, as anybody can easily see, and I wondered whether it was desired to have it accurate.

Mr. JOHNSON of South Carolina. It will be corrected. This is a Senate matter.

Mr. MANN. It is immaterial to me whether they appropriate a sufficient amount or not; I do not know whether it ever is expended or not.

The Clerk read as follows:

For mileage of Representatives and Delegates and expenses of Resident Commissioners, \$175,000.

Mr. COX of Indiana. Mr. Chairman, I offer the following amendment, which I send to the Clerk's desk and ask to have read.

The Clerk read as follows:

Amend by striking out the period at the end of line 7, page 12, and insert a colon and add:

"Provided, That hereafter Members of Congress, Delegates from Territories, and Resident Commissioners from Porto Rico and the Resident Commissioners from the Philippine Islands shall be paid only their actual traveling expenses while traveling from their residences by the usual route of travel to Washington City and return once for each session of Congress, and which sums of money shall be paid out on the certificate of the Member of Congress, the Delegates from Territories, Resident Commissioners from Porto Rico, and Resident Commissioners from the Philippine Islands and not otherwise."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Indiana.

Mr. COX of Indiana. Mr. Chairman, I do not desire to detain the committee but a moment. In response to what the gentleman from Tennessee [Mr. Sims] said a moment ago, when the other amendment was under discussion before the House—and I regret he is not now in the Chamber—there may be evils along the line that he suggested, and if there be any let him go to work and correct them. A part of his speech, I take it, was not addressed to me personally. I think every Member of this House knows that last year I could not be here.

Mr. MANN. Oh, the gentleman ought to know that the gentleman from Tennessee did not refer to him. In the absence of the gentleman from Tennessee [Mr. Sims], permit me to suggest to the gentleman from Indiana that his statement is entirely unnecessary, and he is too sensitive. The gentleman from Tennessee carefully stated that he referred to absence on account of important business, and the gentleman from Tennessee explained to me that he did not wish the gentleman from Indiana to think his remarks were personal to the gentleman from Indiana.

Mr. COX of Indiana. I take it for granted that they were not personal.



Mr. MANN. And I think the Members of the House understood.

Mr. COX of Indiana. I want to take this occasion here to say that I have never, during the six years I have served in this House, asked to be excused on account of important business. Only one business has ever kept me away from this House, and I do not care anything about discussing that.

I desire to reply to what my friend from Illinois, who said a moment ago when the other amendment was up, about our not being able to bring our families here if either of these amendments should obtain, without paying their expenses out of our own pocket. The people in our districts do not vote for the members of our families, but they voted for us, and while I am in thorough accord with the gentleman from Illinois in that every Member of Congress, if it be within his power, should bring his family here, yet I do not believe that the family should be brought here at the expense of the people of this country.

I desire to enlarge a little on the course that we have pursued in this House. I do not understand how a Member of Congress can justify himself in voting against this amendment when he stood in this caucus and voted against appropriating one dollar to pay the little employees of this House an extra month's salary, because, forsooth, they have never been allowed mileage. I always understood that during the time that the Republican Party had control of this House the month's salary was allowed to the employees of the House to compensate them because of the fact they were not allowed mileage and in a measure to equalize and justify the mileage which the Members of Congress appropriated to themselves. I am not quarreling about that. In my candid judgment the position assumed by that side of the House was much more equitable and just than the position which this side of the House is assuming to-day. I believe that the country thoroughly approved the course which our party adopted in cutting out that extra month's salary allowed to the employees. I think that the country believes that the employee who wanted the job and knew exactly what the pay was before he took it was perfectly willing to pay his traveling expenses here to assume the job with the burden it carried. I think the country is in accord with us upon the theory that we did right in cutting it out. We give to ourselves 20 cents a mile. Is it right, is it just, is it equitable, are we dealing with our own employees upon a just basis? I appeal to the Members upon this side of the House. I believe, as I said a while ago, that the entire traveling allowance for all Government employees should be put upon an actual cost basis, or else wipe it all out. It is not alone to us that this applies, but it should apply to various other branches of the Government, and if we on this side of the House are in good faith trying to work out economies along this line, we can save the country approximately \$1,000,000 a year; but can we do it? Can we afford to take from the Army officers of this country their 7 cents a mile unless we take out ours? Can we afford to put the Army officers of this country upon an actual travel pay unless we put ourselves upon that basis?

The CHAIRMAN. The time of the gentleman has expired.

The question was taken, and the Chairman announced that the yeas seemed to have it.

On a division (demanded by Mr. Cox of Indiana) there were—ayes 18, yeas 40.

Mr. COX of Indiana. Mr. Chairman, I make the point of order there is no quorum present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred Members are present, and there is a quorum in the committee.

Mr. RODDENBERRY. Mr. Chairman, I offer the following amendment: After the words "one hundred and seventy-five thousand dollars" insert.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

*Provided, That not in excess of 10 cents a mile by nearest route be allowed for mileage in any event for one trip to or from Washington for each Member during a session of Congress.*

Mr. RODDENBERRY. Mr. Chairman, it is evident from the vote of the committee just had on the two amendments offered by the gentleman from Indiana [Mr. Cox] that the temper of the committee is not such as to reduce the mileage of Members and Senators to the actual expenses of travel. I supported both amendments offered by the gentleman from Indiana and now offer this amendment as a fair, reasonable compromise and concession in the matter if it should be the disposition of the committee to reduce the present 20-cent mileage. It occurs to me, Mr. Chairman, that 10 cents a mile each way, cutting half in two the present mileage, is fair, and will allow a Member who may desire to bring his wife and an additional member of his family actual traveling expenses, and at the same time extracts

from the existing law that phase that the public can not fully comprehend, which is, Why is it under the name of mileage 20 cents a mile each way should be allowed a Member of Congress for railroad fare, when 2 cents is the usual rate? I favor this amendment for the sake of the policy that it involves rather than the amount of money it saves. No great sum, viewed from the standpoint of appropriations for the support of the Government, will be saved if this amendment is adopted, or if the amendments of the gentleman from Indiana were adopted, but when we deal with what is nominally an allowance for our expenses in coming to and from Washington it seems to me that we might by adopting this amendment occupy a ground that would be better comprehended by the public and appropriate a sum adequate for our expenses where our families are not unusually large. I trust that the committee may give to this amendment favorable consideration. Viewing the entire mileage proposition in its present light and recognizing that session after session this question of 20 cents a mile each way for a Member of Congress from his home arises, and it will continue to arise, we may well adopt 10 cents for traveling expenses instead of the 20 cents.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. FOWLER. Mr. Chairman, I desire to ask the gentleman a question.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FOWLER. I ask for an extension of his time for one minute.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. FOWLER. I desire to know why the gentleman did not include Senators in his amendment as well as Members of the House.

Mr. RODDENBERRY. The Senate provision has already been passed and that of Representatives just reached. If the House should place this limitation now upon the mileage of Members, as a matter of course the limitation could be placed by recurrence to the Senate provision. I have no objection to its being placed in at this time, if such amendment be offered. I propose this amendment with no personal element involved. When I come on to Washington with my crowd I bring a wife and four other passengers who pay full fare, and in the course of a year or two will have another one paying full fare. As a general policy, however, it seems to me wise and right to at least cut the present allowance for travel from 20 cents a mile to 10 cents. Therefore the pending amendment is addressed to the judgment of Members.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Georgia.

The question was taken, and the Chairman announced the yeas had it.

On a division (demanded by Mr. RODDENBERRY) there were—ayes 16, yeas 51.

So the amendment was rejected.

Mr. COX of Indiana. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Indiana offers an amendment, which the Clerk will report.

The Clerk read as follows:

*Provided, That hereafter not more than 5 cents a mile shall be paid to Members of Congress, Delegates, and Resident Commissioners of Porto Rico and the Philippine Islands, for one trip in traveling from their homes to Washington City and return, traveling by the usual and ordinary route of travel.*

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. Cox].

The question was taken, and the Chair announced that the yeas seemed to have it.

Mr. COX of Indiana. Division, Mr. Chairman.

The committee divided; and there were—ayes 15, yeas 48.

So the amendment was rejected.

Mr. COX of Indiana. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the Record.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent to revise and extend his remarks in the Record on this subject. Is there objection?

Mr. MANN. Mr. Chairman, reserving the right to object, I simply would like to ask the gentleman whether in extending his remarks in the Record it is his intention to represent the Members of Congress outside of those who agree with him as a kind of crook, trying to grab money out of the Treasury without being entitled to it; whether he expects to show in his remarks that his associates in Congress are far beneath him on the question of honesty and honor?

Mr. COX of Indiana. Mr. Chairman, I am astonished at the gentleman from Illinois.

Mr. MANN. The gentleman is not more astonished at me than I have been at him this afternoon.

Mr. COX of Indiana. He has certainly never found anything inserted in the Record yet which I have put in by unanimous consent with which he could find any criticism whatever.

Mr. MANN. I frankly say that I never have.

Mr. COX of Indiana. And I frankly say that I would not, under leave to print, print that which I would not say on the floor of this House in the presence of every man here.

Mr. MANN. I have no objection to the gentleman stating facts as long as he does not impugn the motives of Members of Congress, and there is a great temptation to do it, I have noticed, from gentlemen who have made this proposition.

The CHAIRMAN. The gentleman from Indiana [Mr. Cox] asks unanimous consent to extend his remarks in the Record on this subject. Is there objection? [After a pause.] The Chair hears none. The Clerk will read.

The Clerk read as follows:

Office of the Clerk: Clerk of the House of Representatives, including compensation as disbursing officer of the contingent fund, \$6,500; hire of horse and wagon for use of the Clerk's office, \$900, or so much thereof as may be necessary; Chief Clerk, \$4,500; Journal clerk, and two reading clerks, at \$4,000 each; disbursing clerk, \$3,400; tally clerk, \$3,300; file clerk, \$3,250; enrolling clerk, \$3,000; chief bill clerk, \$3,000; assistant to Chief Clerk, and assistant enrolling clerk, at \$2,500 each; assistant disbursing clerk, \$2,400; stationery clerk, \$2,200; librarian, \$2,100; assistant file clerk, \$1,900; two assistant librarians, and one clerk, at \$1,800 each; three clerks, at \$1,680 each; bookkeeper, and assistant in disbursing office, at \$1,600 each; four assistants to chief bill clerk, at \$1,500 each; stenographer to Clerk, \$1,400; locksmith, who shall be skilled in his trade, \$1,300; messenger in Chief Clerk's office, and assistant in stationery room, at \$1,200 each; messenger in file room, messenger in disbursing office, and assistant in House library, at \$1,100 each; stenographer to chief bill clerk, \$1,000; three telephone operators, at \$900 each; three telephone session operators, at \$75 per month each from December 1, 1913, to June 30, 1914; telephone operator, \$900; for services of a substitute telephone operator when required, at \$2.50 per day, \$200; two laborers in the bathroom, at \$900 each; two laborers, and page in enrolling room, at \$720 each; allowance to Chief Clerk for stenographic and typewriter services, \$1,000; in all, \$92,825.

Mr. FOWLER. Mr. Chairman, I reserve a point of order to this paragraph. I desire to ask the chairman of the committee wherein the \$575 is for which is proposed in this paragraph more than was appropriated for the same purpose in the bill during the last session.

Mr. JOHNSON of South Carolina. This bill provided for some people who were paid for the session only, and the bill that was passed last year provided for the short term of Congress, from December to March, and this bill provides for the long session.

Mr. FOWLER. Does it come in the item of three telephone session operators, at \$75 a month each, from December 1, 1913, to June 30, 1914? I compared it carefully with the law passed at last session, and I could not find where the discrepancy came in unless it comes in with the item I have referred to.

Mr. JOHNSON of South Carolina. We have not changed any rate of salary, and have not provided for anybody who is not provided for by law.

Mr. FOWLER. The bill last year provided for \$92,250. Now this provides for \$92,825. I have compared it carefully, and I have been unable to detect wherein the amounts for the several items in this bill differ from those in the law of last session.

Mr. JOHNSON of South Carolina. The gentleman can understand very well that the session employees who are paid from December to March would not get as much as the session employees who are paid from the 1st of December to the following July.

Mr. FOWLER. They are only for the telephone operators who are so employed?

Mr. JOHNSON of South Carolina. That is all.

Mr. FOWLER. And it must appear in that item?

Mr. MANN. That is what it is. That is the amount of money.

Mr. GARRETT. Mr. Chairman, I ask unanimous consent to return to line 5 on page 12, for the purpose of offering an amendment.

The CHAIRMAN. The gentleman from Tennessee [Mr. GARRETT] asks unanimous consent to return to line 5, page 12, for the purpose of offering an amendment.

Mr. JOHNSON of South Carolina. What is the amendment, Mr. Chairman? I reserve the right to object. I want to know what it is.

Mr. GARRETT. I said it was for the purpose of offering an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

At the end of line 5, add:

"Provided, That no part of this appropriation shall be expended in the payment of any salary to any Member, Delegate, or Resident Commissioner for any time prior to the filing of his certificate of election with the Clerk of the House of Representatives."

Mr. JOHNSON of South Carolina. Mr. Chairman, I can not consent to go back in the bill.

Mr. GARRETT. Mr. Chairman, will the gentleman withhold his objection for a moment, while I explain exactly what it is? The amendment may not be clear.

The CHAIRMAN. Does the gentleman from South Carolina reserve his objection?

Mr. JOHNSON of South Carolina. I reserve it.

Mr. GARRETT. Mr. Chairman, the purpose of the amendment is this: I understand that it is now the law, where a vacancy occurs, by death or otherwise, from a district and that vacancy is filled by an election held some time subsequent, no matter how long, that when the Member so elected to fill the vacancy takes his seat as a Member of the House he draws the salary from the date of the death of his predecessor. Now, Mr. Chairman, that is the law, as I understand it.

Mr. MANN. Does the gentleman yield for a question?

Mr. FITZGERALD. There is no such law.

Mr. GARRETT. Has it not been the practice?

Mr. FITZGERALD. The practice has been that when a Member is elected to fill a vacancy the compensation has accumulated. Nobody has ever discovered any law authorizing it, and in some instances Members have declined to draw the money.

Mr. MANN. Would the gentleman from Tennessee explain what would happen under the gentleman's provision if some one is seated by the House? He does not file any certificate of election. Would he not be entitled to any pay?

Mr. GARRETT. Oh, of course the gentleman knows my amendment does not contemplate that.

Mr. MANN. The gentleman's amendment covers it, whether it contemplates it or not. I have just read the gentleman's amendment. It not only covers that, but it would also cover any time until the certificate of election is filed.

Mr. GARRETT. Of course I did not have that in mind.

Mr. MANN. That is the reason why I called the gentleman's attention to it.

Mr. FITZGERALD. I suggest that the gentleman from Tennessee be permitted to make his statement about it.

Mr. GARRETT. Mr. Chairman, if it be, then, the practice and not the law, then the law and not the practice should prevail. It has at least been a custom long continued in the House, and no reflection, of course, is intended by me on any Member who has taken the salary, because it is the custom. But, Mr. Chairman, there is no reason for, there is no equity in, the payment, by custom or by law, of a salary that accumulates before a man ever takes his seat in this House or before he is even elected.

Mr. MANN. Mr. Chairman, would not the gentleman yield for another question?

Mr. GARRETT. Certainly.

Mr. MANN. Supposing the Member, as was the case in the last Congress, was unseated in the House and the contestant was sworn in. Does the gentleman from Tennessee desire to have the contestant receive the pay only from the time he was sworn in?

Mr. GARRETT. No; I think in equity the contestant ought to draw the salary.

Mr. MANN. What difference is there between them? The contestee has been serving, and has been receiving the pay. Why should the contestant be paid if he was not serving, was not here, had nothing to do, and rendered no service?

Mr. GARRETT. That, of course, was not the fault of the contestant. There is an equity there. I think the gentleman recognizes a decided difference in the equity between the case I have presented and the case he presents. Does the gentleman from South Carolina object to returning to that point in the bill?

Mr. JOHNSON of South Carolina. Mr. Chairman, the discussion that is going on between the gentleman from Tennessee [Mr. GARRETT] and the gentleman from Illinois [Mr. MANN] shows that it is a matter that ought to be referred to some committee having jurisdiction. I do not want to be discursive, but I can not consent to go back in the bill.

The CHAIRMAN. The gentleman from South Carolina objects. The Clerk will read.

Mr. LAFFERTY. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Oregon offers an amendment, which the Clerk will report.

The Clerk read as follows:

On page 13, line 16, after the word "each," strike out the semicolon and insert the following:

"Provided, That the bathroom shall remain open during the sessions of Congress until 7 o'clock at night."



Mr. FITZGERALD. I make the point of order that that is legislation.

Mr. JOHNSON of South Carolina. We have passed the paragraph.

Mr. FITZGERALD. That makes no difference. It is legislation anyway, and subject to the point of order.

The CHAIRMAN. The gentleman from New York makes the point of order that this amendment is legislation.

Mr. LAFFERTY. If the gentleman will reserve his point of order—

Mr. FITZGERALD. Oh, no; it is a matter that ought not to be in this bill at all.

The CHAIRMAN. The Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

Clerks, messengers, and janitors to the following committees: Accounts—clerk \$2,500, assistant clerk \$1,800, janitor \$1,000; Agriculture—clerk \$2,500, assistant clerk \$1,800, janitor \$1,000; Appropriations—clerk \$4,000, and \$1,000 additional while the office is held by the present incumbent, assistant clerk and stenographer \$2,500, assistant clerk \$1,900, janitor \$1,000; Banking and Currency—clerk \$2,000, assistant clerk \$1,200, janitor \$720; Census—clerk \$2,000, janitor \$720; Claims—clerk \$2,500, assistant clerk \$1,200, janitor \$720; Coinage, Weights, and Measures—clerk \$2,000, janitor \$720; District of Columbia—clerk \$2,500, assistant clerk \$1,800, janitor \$720; Elections No. 1—clerk \$2,000, janitor \$1,000; Elections No. 2—clerk \$2,000, janitor \$720; Elections No. 3—clerk \$2,000, janitor \$720; Enrolled Bills—clerk \$2,000, janitor \$720; Foreign Affairs—clerk \$2,500, assistant clerk \$1,800, janitor \$720; Immigration and Naturalization—clerk \$2,000, janitor \$720; Indian Affairs—clerk \$2,500, assistant clerk \$1,800, janitor \$720; Industrial Arts and Expositions—clerk \$2,000, janitor \$720; Insular Affairs—clerk \$2,000, janitor \$720; Interstate and Foreign Commerce—clerk \$2,500, assistant clerk \$2,000, assistant clerk \$1,500, janitor \$1,000; Irrigation of Arid Lands—clerk \$2,000, janitor \$720; Invalid Pensions—clerk \$2,500, stenographer \$2,190, assistant clerk \$2,000, janitor \$1,000; Judiciary—clerk \$2,500, assistant clerk \$1,600, janitor \$720; Labor—clerk \$2,000, janitor \$720; Library—clerk \$2,000, janitor \$720; Merchant Marine and Fisheries—clerk \$2,000, janitor \$720; Military Affairs—clerk \$2,500, assistant clerk \$1,500, janitor \$1,000; Naval Affairs—clerk \$2,400, assistant clerk \$1,500, janitor \$1,000; Patents—clerk \$2,000, janitor \$720; Pensions—clerk \$2,500, assistant clerk \$1,600, janitor \$720; Post Offices and Post Roads—clerk \$2,500, assistant clerk \$1,400, janitor \$1,000; Printing—clerk \$2,000, janitor \$1,000; Public Buildings and Grounds—clerk \$2,500, assistant clerk \$1,200, janitor \$720; Public Lands—clerk \$2,000, assistant clerk \$1,200, janitor \$720; Revision of the Laws—clerk \$2,000, janitor \$720; Rivers and Harbors—clerk \$2,500, assistant clerk \$1,800, janitor \$1,000; Rules—clerk \$2,000, janitor \$720; Territories—clerk \$2,000, janitor \$720; War Claims—clerk \$2,500, clerk to continue Digest of Claims under resolution of March 7, 1888, \$2,500, assistant clerk \$1,200, janitor \$720; Ways and Means—clerk \$3,000, assistant clerk and stenographer \$2,000, assistant clerk \$1,900, janitor \$1,000, janitor \$720; in all, \$162,230.

Mr. LAFFERTY. Mr. Chairman, I move to strike out the last word. I do so for the purpose of calling the attention of Members of the House to the amendment I offered a while ago, which was ruled out on a point of order.

The Government has expended thousands of dollars to provide a bathroom in the House Office Building. The bathtubs, towels, and everything have been provided at Government expense. This bill carries an appropriation of \$1,800 to employ two colored gentlemen over there to look after the establishment, but they close up at 6 o'clock sharp every evening. If any Member of this House desires to go over there after adjournment this evening to take a bath, he will be unable to do so. There is no reason why a mandatory provision should not be put in this bill requiring that the bathroom shall remain open till 7 o'clock p. m.

Mr. FITZGERALD. Will the gentleman yield for a question?

Mr. LAFFERTY. Yes.

Mr. FITZGERALD. Does the gentleman from Oregon think these two colored gentlemen who work all day should work all night as well?

Mr. LAFFERTY. I contend that no man should work more than eight hours a day at any occupation, but there are two of these colored gentlemen, and there is no reason why one of them should not work part of the day and the other one the other part.

Mr. FITZGERALD. They are both busy giving baths to Members during the daytime.

Mr. LAFFERTY. One of these gentlemen is a masseur and the other is a corn doctor, and they ply their occupations during the daytime, receiving tips from each individual whom they wait upon, and incidentally they perform the services for which they receive \$900 a year each. For that reason I say they should be required to devote their services to the Government of the United States.

I would not have voted in the first place to put a bathroom in the House Office Building for the use of Members of the House of Representatives, but as long as it is there, I say these gentlemen, who are serving the Government, should be required to stay there at least until the hour the House usually adjourns. But I do not go that far in my amendment. I only require that they wait there until 7 o'clock.

Mr. MANN. There are plenty of places in hotels and elsewhere where bathrooms are open all night.

Mr. FITZGERALD. There is a commission, a superintendent, and a custodian in charge of that building. Any complaint which the gentleman may have as to the hours of labor of the various gentlemanly employees in the building could properly be presented to them. I do not think it makes much difference in the gentleman's attitude to assert that he would not have voted to put a bathroom in the building, but that as long as it was put in before he came to Congress he is perfectly willing to avail himself of the facilities afforded, not only in the daytime, which seems to be sufficient to satisfy everybody else, but even in the unseemly hours of the night.

Mr. OLMSTED. Mr. Chairman, some few years ago I stopped at a large and fashionable hotel in Richmond, Va., where in each bedroom there was posted on the wall a notice giving the rates charged for the use of the room and cautioning guests to put their valuables in the safe, and below that there was this:

N. B.—Massage treatment on the office floor.

I have no doubt that in the gentleman's hotel he can get massage either on the office floor or elsewhere, and can also take a bath; or it would perhaps obviate the difficulty if he would obtain permission of the House to absent himself while the House is in session and take a bath over here in the daytime. It seems to me it is unnecessary to make these colored men work more than 8 or 10 hours a day to accommodate Members who want to take a bath at night.

Mr. LAFFERTY. The gentleman from Pennsylvania is going out of Congress, and I do not think he has taken a bath very often while he has been here.

Mr. OLMSTED. I have never taken one at the expense of the public, here or elsewhere.

The CHAIRMAN. The Clerk will proceed with the reading of the bill.

The Clerk read as follows:

For nine clerks to committees, at \$6 each per day during the session, \$11,340.

Mr. JOHNSON of South Carolina. Mr. Chairman, I have an amendment to offer.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 16, line 9, strike out \$11,340 and insert in lieu thereof \$11,448.

The amendment was agreed to.

The Clerk read as follows:

Office of Doorkeeper: Doorkeeper, \$5,000; hire of horses and wagons and repairs of same, \$1,200, or so much thereof as may be necessary; special employee, John T. Chancey, \$1,800; special employee, \$1,500; superintendent of reporters' gallery, \$1,400; janitor, \$1,500; 16 messengers, at \$1,180 each; 14 messengers on the soldiers' roll, at \$1,200 each; 15 laborers, at \$720 each; laborer in the water-closet, \$720; laborer, \$680; 2 laborers, known as cloakroom men, at \$840 each; 8 laborers, known as cloakroom men, 2 at \$720 each, and 6 at \$600 each; female attendant in ladies' retiring room, \$800; superintendent of folding room, \$2,500; foreman, \$1,800; 3 clerks, at \$1,600 each; messenger, \$1,200; janitor, \$720; laborer, \$720; 32 folders, at \$900 each; 2 drivers, at \$840 each; 2 chief pages, at \$1,200 each; 2 messengers in charge of telephones (one for the minority), at \$1,200 each; 46 pages, during the session, including 2 riding pages, 4 telephone pages, press-gallery page, and 10 pages for duty at the entrances to the Hall of the House, at \$2.50 per day each, \$23,150; superintendent of document room, \$2,900; assistant superintendent, \$2,100; clerk, \$1,700; assistant clerk, \$1,600; assistants—7 at \$1,280 each, one at \$1,100; janitor, \$920; messenger to press room, \$1,000; in all, \$158,250.

Mr. FOWLER. Mr. Chairman, I reserve a point of order on line 10, page 17, two messengers in charge of telephones. The last bill contained but one.

Mr. JOHNSON of South Carolina. There is no increase in the force.

Mr. FITZGERALD. There have always been two messengers.

Mr. FOWLER. The appropriation for this same item was \$13,800 in last year's bill. Now it is \$23,150. What is the necessity for the increase?

Mr. JOHNSON of South Carolina. That is due to the fact that we are now appropriating for the long session of Congress, while in the last bill we appropriated for the short session.

Mr. FOWLER. Is it all due to that?

Mr. JOHNSON of South Carolina. It is all due to that. We have not provided for a single person in the House force that has not been provided for by law. We have created no new offices and have increased no salary. Any differences that may appear in the paragraphs are caused by people being transferred from one paragraph to another, or from one bill to another, and from the fact that this is appropriating for the long session instead of the short. There is no change in the law as to the number of offices or rate of compensation.

Mr. FOWLER. Mr. Chairman, with that explanation, I withdraw the point of order.



The Clerk read as follows:

Office of Doorkeeper, Doorkeeper, \$5,000; hire of horses and wagons and repairs of same, \$1,200, or so much thereof as may be necessary; special employee, John T. Chancey, \$1,800; special employee, \$1,500; superintendent of reporters' gallery, \$1,400; janitor, \$1,500; 16 messengers, at \$1,180 each; 14 messengers on the soldiers' roll, at \$1,200 each; 15 laborers, at \$720 each; laborer in the water-closet, \$720; laborer, \$680; 2 laborers, known as cloakroom men, at \$840 each; 8 laborers, known as cloakroom men, 2 at \$720 each, and 6 at \$600 each; female attendant in ladies' retiring room, \$800; superintendent of folding room, \$2,500; foreman, \$1,800; 3 clerks, at \$1,600 each; messenger, \$1,200; janitor, \$720; laborer, \$720; 32 folders, at \$900 each; 2 drivers, at \$840 each; 2 chief pages, at \$1,200 each; 2 messengers in charge of telephones (1 for the minority), at \$1,200 each; 46 pages, during the session, including 2 riding pages, 4 telephone pages, press-gallery page, and 10 pages for duty at the entrances to the Hall of the House, at \$2.50 per day each, \$23,150; superintendent of document room, \$2,900; assistant superintendent, \$2,100; clerk, \$1,700; assistant clerk, \$1,600; assistants—7 at \$1,280 each, 1 at \$1,100; janitor, \$920; messenger to press room, \$1,000; in all, \$158,250.

Mr. JOHNSON of South Carolina. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

On page 17, in line 14, strike out "\$23,150" and insert "\$24,380." In line 18, strike out "\$158,250" and insert in lieu thereof "\$159,480."

The amendment was agreed to.

The Clerk read as follows:

For clerk to the conference minority of the House of Representatives, \$2,000; assistant clerk, \$1,200; janitor, \$1,000; in all, \$4,200. Said clerk, assistant clerk, and janitor to be appointed by the chairman of the conference minority.

Mr. JOHNSON of South Carolina. Mr. Chairman, I desire to offer the following amendment.

The Clerk read as follows:

For messenger in the minority caucus room, \$1,200; and for messenger in the majority caucus room, \$1,200.

Mr. JOHNSON of South Carolina. Mr. Chairman, these two places are carried in the deficiency bill of last year, and it was desired that all of the employees of the House should be provided for in this bill, and so they are brought forward from another appropriation bill.

Mr. BARTLETT. May I inquire if the House did not pass a resolution providing for their continuation to June, 1913?

Mr. MANN. There was a resolution passed first by the House, and then it was put in the deficiency bill in conformity with the resolution.

Mr. FITZGERALD. Mr. Chairman, I am familiar with the matter. In the last session the request was made of the Committee on Appropriations to carry these two messengers as they had been provided at other times. No resolution had been adopted by the House upon the report of the Committee on Accounts. The Committee on Appropriations thought that was the authority needed to give the Committee on Appropriations authority to provide for the messengers in the legislative bill. Subsequently the Committee on Accounts reported a resolution providing for these messengers, and when the deficiency bill was before the House provision was made for them in accordance with the resolution.

Mr. BARTLETT. My recollection from the Record is that the resolution in the deficiency bill carried them to the 1st of July, 1913, and the statement was made, as I recall, that that was the intention only to provide for them to that time. This provides for them from the 1st of July, 1913, to the 1st of July, 1914.

Mr. FITZGERALD. Under repeated rulings, once an employee has been authorized by resolution of the Committee on Accounts it is in order to carry him on the legislative bill.

Mr. BARTLETT. I want to say to the gentleman that I have made no point of order against this.

Mr. FITZGERALD. I understand; I am explaining the reason for this action. At the last session the committee declined to carry them because there had been no resolution. They were originally put in the bill by the Senate.

Mr. BARTLETT. That is correct.

Mr. FITZGERALD. When the Committee on Appropriations made up the bill for the current year, as there had been no resolution adopted by the House, the committee refused to carry these messengers. Subsequently the Committee on Accounts took the matter up and the House adopted the resolution and they were carried in the deficiency bill.

Mr. MANN. Mr. Chairman, I think this appropriation should be made, but it seems to me there ought to be a provision made as to the method of the appointment of these messengers. Would there be any objection to providing in the bill directly that they shall be appointed by the respective whips of the two sides? These messengers, while they are called messengers to the caucus rooms, have been and are intended to be, so I understand, messengers for the two whips of the two sides of the House. The whips need the men to help do the work in getting Members here and in keeping Members advised as to what

is going on in the House. It seems to me the whips ought to make these appointments.

Mr. JOHNSON of South Carolina. We understand that these employees are to aid the whips of the respective sides of the House. I supposed they would make the appointments. I have no objection to an amendment that will so provide.

Mr. MANN. In the resolution which was first passed in the deficiency appropriation bill, the men were specifically named. That is all right as far as it goes, because they were named by the two whips of the two sides of the House, but the whips will be different in the next Congress, possibly—certainly, on this side. The whip on this side of the House is elected by the caucus, and I suppose that is true of the gentleman's side of the House.

Mr. BARTLETT. Yes.

Mr. MANN. So that when they are elected, it seems to me, they ought to have the naming of the men who are to do the work under them. I have prepared an amendment putting it all in one item:

To continue the employment of messengers in the majority and minority caucus rooms, to be appointed by the minority and majority whips, respectively, at \$1,200 each; in all, \$2,400.

Mr. JOHNSON of South Carolina. I have no objection to that, and I will withdraw the amendment that I have and offer that one.

The CHAIRMAN. The gentleman from South Carolina offers the following amendment, which the Clerk will read.

The Clerk read as follows:

After line 3, page 19, insert:

"To continue the employment of messengers in the majority and minority caucus rooms, to be appointed by the majority and minority whips, respectively, at \$1,200 each; in all, \$2,400."

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Carolina.

Mr. FOWLER. Mr. Chairman, I make the point of order against that. There is a method of appointing employees in this House, which was adopted at the beginning of the Sixty-second Congress and is in force now, whereby the employees of the House are selected, and a committee for that purpose is now in existence.

Mr. FITZGERALD. But the gentleman misunderstands. This is not a change of the present practice. These two messengers are authorized and provided for and have practically been appointed by the two whips, as designated here.

Mr. FOWLER. That may be true now, and may have been so in the past.

Mr. FITZGERALD. They were at the time of the arrangement of which the gentleman speaks.

Mr. FOWLER. I do not so understand it. I do not understand that there was any exception made whatever. If you lay down the bars in the case of these two messengers, you may just as well lay down the bars in every other sense of the word and let it all go back to the Speaker of the House.

Mr. FITZGERALD. The gentleman is mistaken. There is only one place that might be affected. The minority employees were never selected by any committee of the majority. One of these is for the minority caucus room and the other is for the majority caucus room. At the time the Democratic caucus adopted the rule appointing a patronage committee this was not one of the places that was distributed as patronage in that way. The occupant was selected by the Democratic whip.

Mr. FOWLER. Is there any reason why these employees should be selected different from other employees?

Mr. FITZGERALD. Yes; there is.

Mr. FOWLER. And was there any exception made at the time of our caucus rule?

Mr. FITZGERALD. There is a reason for it.

Mr. MANN. Mr. Chairman, will my colleague permit an interruption for a moment?

Mr. FOWLER. Yes.

Mr. MANN. This would not affect the selection of this employee by the Democratic caucus or by the committee on patronage appointed by the Democratic caucus. This is only a method, so far as the House is concerned. The patronage committee of the Democratic caucus is not a committee recognized by the House itself. For instance, we provide in this bill for offices under the Doorkeeper. The Doorkeeper makes the appointments as far as the House is concerned. The Postmaster makes his appointments so far as the House is concerned, as does the Clerk of the House and the Sergeant at Arms; but the Democratic patronage committee, as far as those officials are concerned, selects for them the officials, and that committee can do the same thing about this. This provision would not affect that at all if the caucus desires it to be included in the appointments to be made by the patronage committee.

Mr. FITZGERALD. The gentleman is mistaken about this.



Mr. FOWLER. I do not so understand it. If we make an exception in one case, you then lay down the bars and make an exception all along the line.

Mr. GARRETT. Will the gentleman permit?

Mr. FOWLER. Certainly.

Mr. GARRETT. I call the attention of the gentleman from Illinois to the fact that the rules of the House provide that these various officials under the Sergeant at Arms, the Clerk, the Doorkeeper, the Postmaster, shall be appointed by those respective officers, and theoretically they are so appointed. The method by which they are chosen now is an unofficial method, with no regular or appointing force as far as the law is concerned or as far as the rules of the House are concerned.

Mr. FITZGERALD. Unless the appointment of these officials is vested in some one, if a vacancy occur no one has authority to place his successor on the pay roll, so as to get any money, unless the Committee on Accounts reports a resolution.

Mr. FOWLER. Mr. Chairman, if these two messengers are to be appointed in a different way from that which was adopted by the majority of the House at the beginning of this Congress, then I repeat that you might just as well do away with the committee which was appointed to distribute the patronage in this House.

Mr. MANN. I can assure my colleague there is no such intention on my part, and I do not think the amendment offered by the gentleman from South Carolina would affect the patronage committee at all.

Mr. FOWLER. I am not complaining at anyone for offering such a resolution. I am only complaining because of the fact that in my opinion such a precedent as contemplated by this amendment might become an entering wedge to destroy our method of selecting the patronage by a committee instead of leaving it to the Speaker.

Mr. MANN. Unless I am misinformed about it, the chairmen of some of the committees who had patronage thought the committee did not share in the other patronage in the House. Now, the bill specifically provides that the chairman shall appoint certain clerks and janitors. It is very easy for the Democratic caucus to provide that these messengers, if appointed, shall be charged to the Democratic whip as part of the patronage of the Democratic side of the House.

Mr. FOWLER. Then, if that is true, might not all the patronage of the House be taken away from the committee on patronage by virtue of bills passed by the House?

Mr. MANN. I do not think so. I do not think it has anything to do with that. The reason I put in this provision is that without it there is no authority for anybody to appoint these messengers. Heretofore we named them specifically, but nobody wants to name now the messengers for the whips, because no one knows who the whips will be until the new caucus meets. Without that there is no provision for anybody to appoint them.

Mr. FOWLER. Why not provide for the place and leave the appointing of these messengers to the future Congress, the Sixty-third?

Mr. MANN. Well, that requires the preparation of an additional resolution, and so forth, brought before the House, and is a minutia matter. The Democratic caucus can control the question when you settle in the next House, as you will have to, the question of patronage, and consider this as part of the patronage of the House as they consider every other place, and taking into consideration all the other places, they take that into consideration.

Mr. FOWLER. I concede that the House might continue these two servants in the House, but I do not concede that we ought to pass a law here prohibiting the majority of the House from adopting a method of selecting employees of the House as was fixed at the beginning of the Sixty-second Congress.

Mr. MANN. My colleague will recall, of course, that was done by the Democratic caucus; that is, in the caucus you arranged and appointed a patronage committee.

The CHAIRMAN. The time of the gentleman from Illinois has expired. The question is on the adoption of the amendment offered by the gentleman from South Carolina.

The question was taken, and the amendment was agreed to.

Mr. FOWLER. Mr. Chairman, what became of my point of order?

The CHAIRMAN. The Chair did not recall the gentleman made one.

Mr. FOWLER. Mr. Chairman, I desire to withdraw the point of order to relieve the situation.

Mr. GARRETT. Mr. Chairman, I move to strike out the last word.

Referring to the matter concerning which I offered or proposed to offer an amendment a few moments ago, I wish to say

just a few words. I stated when I proposed the amendment that I was under the impression that the law provides that where a vacancy occurred that the person elected to fill that vacancy drew the salary of a Member from the time that the salary of his predecessor ceased. The gentleman from New York [Mr. FITZGERALD] was under the impression that it was not a provision of law, but was simply a custom, and, not being sure of my own ground at the time, I readily accepted the statement of the gentleman from New York. But I have since examined it, and, as a matter of interest here, I will say that section 51 of the Revised Statutes makes this provision:

Whenever a vacancy occurs in either House of Congress, by death or otherwise of any Member or Delegate elected or appointed thereto, after the commencement of Congress to which he has been elected or appointed, the person elected or appointed to fill it shall be compensated and paid from the time that the compensation of his predecessor ceased.

So it seems unquestionably, Mr. Chairman, that there is a statute providing for it. But the statute is wrong in principle. It is not based on any equity or any policy of right, and I hope to prepare an amendment—

Mr. JOHNSON of South Carolina. What is the date of the original enactment?

Mr. GARRETT. The date of the enactment is July 16, 1862.

Now, there has been a case upon which there was a report in the Fifty-ninth Congress, what is known as the Pollard case, in which the Committee on the Judiciary dealt with the question. That committee held that Representative Pollard was not entitled to the salary; but that occurred in this way: Mr. Burkett, who was a Member of the Fifty-eighth Congress, was reelected to the Fifty-ninth Congress, but before the expiration of the Fifty-eighth Congress he was elected to the Senate, and prior to March 4, 1905, when his term in the Fifty-eighth Congress expired, he resigned, the resignation to take effect on the 4th of March.

Mr. Pollard was elected at a special election to succeed him, and when he became a Member of the House in the Fifty-ninth Congress, some months later, the Sergeant at Arms paid to him—and he was, I suppose, of the opinion that under the law he was entitled to receive it—some \$1,800. Becoming convinced later that he was not entitled to receive it, he sought to repay it, and a bill was introduced to authorize the Secretary of the Treasury to accept it. The matter was referred to the Committee on the Judiciary of the House, and upon investigation they reported that under the peculiar circumstances of that case no vacancy really occurred in the Fifty-ninth Congress by reason of the resignation of Mr. Burkett, and that consequently this statute did not apply. That is one case of which I know that has been passed on by a committee of the House. I repeat that this statute is not right.

Mr. BARTLETT. The gentleman from Tennessee will recall that the Committee on Ways and Means, to which was referred a bill authorizing the Secretary of the Treasury to accept the money and pay it into the Treasury, made a report that he was entitled to it.

Mr. GARRETT. Yes; I think the gentleman is right about that. But to return, there is not equity in that statute. I hope before this bill is finally passed upon to prepare an amendment and prevail upon my friend from South Carolina [Mr. JOHNSON] to return to the paragraph. I withdraw the pro forma amendment.

Mr. MANN. There was nothing before the House before, but I hope the gentleman from South Carolina will now bring before the committee a motion to rise.

Mr. JOHNSON of South Carolina. Mr. Chairman, in view of the lateness of the hour, I move that the committee do now rise. The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. GARNER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 26680—the legislative, executive, and judicial appropriation bill—and had come to no resolution thereon.

#### CHANGE OF REFERENCE.

By unanimous consent, reference heretofore made of House Documents Nos. 1029, 1040, 1042, and Senate Document No. 959 was vacated, and the said documents referred to the committee on Appropriations.

#### ADJOURNMENT.

Mr. JOHNSON of South Carolina. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 30 minutes p. m.) the House adjourned until Friday, December 6, 1912, at 12 o'clock noon.

## EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting his annual report on the state of the finances for the fiscal year ended June 30, 1912 (H. Doc. No. 928); to the Committee on Ways and Means and ordered to be printed.

2. A letter from the Attorney General of the United States, transmitting to Congress his annual report (H. Doc. No. 930); to the Committee on the Judiciary and ordered to be printed.

3. A letter from the Secretary of the Interior, transmitting a statement of the fiscal affairs of Indian tribes for the fiscal year ended June 30, 1912 (H. Doc. No. 1049); to the Committee on Indian Affairs and ordered to be printed.

4. A letter from the Secretary of the Treasury, transmitting a statement of the proceeds of all sales of old material, condemned stores, supplies, and other public property for the fiscal year ended June 30, 1912 (H. Doc. No. 1048); to the Committee on Ways and Means and ordered to be printed.

5. A letter from the Secretary of the Treasury, transmitting a statement prepared by the Secretary of Agriculture showing the number of persons employed in meat inspection, the amount paid each, etc., for the fiscal year ended June 30, 1912 (H. Doc. No. 1050); to the Committee on Agriculture and ordered to be printed.

6. A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of State submitting an estimate of appropriation to continue efforts to mitigate the opium, morphine, and other allied drug evils (H. Doc. No. 1043); to the Committee on Appropriations and ordered to be printed.

7. A letter from the Secretary of the Interior, transmitting a report of the Maritime Canal Co. of Nicaragua, in accordance with section 6 of the act of Congress approved February 20, 1889 (H. Doc. No. 1044); to the Committee on Interstate and Foreign Commerce and ordered to be printed.

8. A letter from the Secretary of the Treasury, transmitting communications from the Assistant Secretary of War submitting statements of all moneys arising from the proceeds of sales of public property for the fiscal year ended June 30, 1912 (H. Doc. No. 1045); to the Committee on Military Affairs and ordered to be printed.

9. A letter from the commissioner of the Freedman's Savings & Trust Co., submitting his annual report for the year ended December 1, 1912, as required by act of February 21, 1912 (H. Doc. No. 1046); to the Committee on the District of Columbia and ordered to be printed.

10. A letter from the Secretary of the Treasury, transmitting a communication from the Secretary of the Interior submitting an estimate of appropriation for collection of statistics concerning accidents in the mining industry (H. Doc. No. 1047); to the Committee on Appropriations and ordered to be printed.

11. A letter from the president of the Board of Managers of the National Home for Disabled Volunteer Soldiers, submitting a report of the board for the fiscal year ended June 30, 1912 (H. Doc. No. 1009); to the Committee on Military Affairs and ordered to be printed.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. PETERS, from the Committee on Ways and Means, to which was referred to bill (H. R. 4434) to provide an allowance for loss of distilled spirits deposited in internal-revenue warehouses, reported the same with amendment, accompanied by a report (No. 1263), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

## PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. RAKER: A bill (H. R. 26726) making an appropriation for continuation of post-office building at Grass Valley under the present limit, and for other purposes; to the Committee on Appropriations.

Also, a bill (H. R. 26727) making an appropriation for continuing improvement and for maintenance of the Mokelumne River, Cal.; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 26728) making an appropriation for the deepening and widening of the channel and for snagging and wing-dam construction for the improvement of the Sacramento River from Sacramento to Red Bluff, Cal.; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 26729) appropriating money for the continuing improvement of harbor at the entrance to Humboldt Bay, Cal.; to the Committee on Appropriations.

Also, a bill (H. R. 26730) making an appropriation for improving the Sacramento and Feather Rivers, Cal., continuing improvement, and for maintenance, including improvement above Sacramento to Red Bluff; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 26731) making an appropriation for investigating the food habits of North American birds and mammals in relation to agriculture, horticulture, and forestry, including experiments and demonstrations in destroying noxious animals, and for investigations and experiments in connection with rearing of fur-bearing animals, including mink and marten, and for use in the destruction of ground squirrels on the national forests in California; to the Committee on Agriculture.

Also, a bill (H. R. 26732) authorizing and directing the Secretary of War to cause a preliminary examination and survey to be made of the inner channels of Humboldt Bay, Cal., and for other purposes; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 26733) appropriating money for the maintenance of the improvement of the channel in front of Eureka, in Humboldt Bay, Cal.; to the Committee on Rivers and Harbors.

By Mr. PETERS: A bill (H. R. 26734) to provide for a survey for the construction of a continuous waterway from Boston, Mass., to the coast of Maine; to the Committee on Rivers and Harbors.

By Mr. LINTHICUM: A bill (H. R. 26735) to provide for an examination and survey of Patapsco River and the Chesapeake Bay and channel to Baltimore with a view to increasing the depth of the channel leading from Baltimore to the sea to a depth of 40 feet; to the Committee on Rivers and Harbors.

By Mr. CLAYPOOL: A bill (H. R. 26736) to authorize the construction of a public building at Logan, Ohio; to the Committee on Public Buildings and Grounds.

By Mr. RAKER: A bill (H. R. 26737) to amend an act approved October 1, 1890, entitled "An act to set apart certain tracts of land in the State of California as forest reservations"; to the Committee on the Public Lands.

By Mr. FOSTER: A bill (H. R. 26738) to increase the limit of cost for the post-office building heretofore authorized at Mount Vernon, Ill.; to the Committee on Public Buildings and Grounds.

By Mr. RODENBERG: A bill (H. R. 26739) to enlarge the authority of the Mississippi River Commission in making allotments and expenditures of funds appropriated by Congress for the improvement of the Mississippi River; to the Committee on Rivers and Harbors.

By Mr. WHITACRE: A bill (H. R. 26740) to increase the limit of cost of the Federal building heretofore authorized at Alliance, Ohio; to the Committee on Public Buildings and Grounds.

By Mr. MCCOY: A bill (H. R. 26741) to provide for the purchase of a site for a public building in the city of Newark, in the State of New Jersey; to the Committee on Public Buildings and Grounds.

By Mr. MOORE of Pennsylvania: A bill (H. R. 26742) to provide a foundation and pedestal on ground belonging to the United States Government in the city of Washington upon which to place a memorial or statue to be furnished by the State of Pennsylvania of Maj. Gen. George Gordon Meade; to the Committee on the Library.

By Mr. HAY: A bill (H. R. 26743) for the purchase of a site and the erection of a public building in the town of Front Royal, Va.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 26744) to provide for the purchase of a site and the erection thereon of a public building at Luray, Va.; to the Committee on Public Buildings and Grounds.

By Mr. RODDENBERY: A bill (H. R. 26745) for the reduction of postage on first-class matter to 1 cent per ounce; to the Committee on the Post Office and Post Roads.

By Mr. KAHN: A bill (H. R. 26746) to amend an act entitled "An act to reincorporate and preserve all the corporate franchises and property rights of the de facto corporation known as the German Orphan Asylum Association of the District of Columbia," approved February 6, 1901; to the Committee on the District of Columbia.

By Mr. HEALD: A bill (H. R. 26747) to provide for a site and public building at Newark, Del.; to the Committee on Public Buildings and Grounds.

By Mr. EVANS: A bill (H. R. 26748) to grant relief to persons erroneously convicted in courts of the United States; to the Committee on the Judiciary.

By Mr. NORRIS: A bill (H. R. 26749) providing for publicity in taking evidence under act of July 2, 1890; to the Committee on the Judiciary.



By Mr. GUERNSEY: A bill (H. R. 26750) to authorize the Secretary of the Treasury to sell certain land to the trustees of the charity fund of Star in the East Lodge, of Old Town, Me.; to the Committee on Public Buildings and Grounds.

By Mr. CLINE (by request): A bill (H. R. 26751) granting pensions to volunteer Army nurses of the Civil War; to the Committee on Invalid Pensions.

By Mr. LEE of Georgia: A bill (H. R. 26752) to increase the limit of cost for the construction of the Federal building at Cartersville, Ga.; to the Committee on Public Buildings and Grounds.

By Mr. POU: A bill (H. R. 26753) to increase the limit of cost of the public building at Rocky Mount, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. GILLETT: A bill (H. R. 26754) for the erection of a public building at Amherst, Mass.; to the Committee on Public Buildings and Grounds.

By Mr. RODDENBERRY: A bill (H. R. 26755) to provide for the purchase of a site and the erection of a public building thereon at Moultrie, in the State of Georgia; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 26756) to provide for the purchase of a site and the erection of a public building thereon at Dawson, in the State of Georgia; to the Committee on Public Buildings and Grounds.

By Mr. FITZGERALD: Joint resolution (H. J. Res. 365) to permit Col. William C. Gorgas and certain other officers of the Medical Corps and certain officers of the Engineer Corps of the Army to accept service under the Republic of Ecuador; to the Committee on Military Affairs.

By Mr. RIORDAN: Resolution (H. Res. 732) to provide for the printing and distribution of Washington's Farewell Address; to the Committee on Printing.

By Mr. SABATH: Resolution (H. Res. 733) directing the Secretary of War to submit to the House the latest survey of the Chicago River; to the Committee on Rivers and Harbors.

#### PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 26757) granting an increase of pension to Mary Thomas; to the Committee on Invalid Pensions.

By Mr. ALEXANDER: A bill (H. R. 26758) granting an increase of pension to John W. Warren; to the Committee on Invalid Pensions.

Also, a bill (H. R. 26759) granting an increase of pension to Ephriam Clark; to the Committee on Invalid Pensions.

By Mr. ANSBERRY: A bill (H. R. 26760) granting an increase of pension to Jacob Strunk; to the Committee on Invalid Pensions.

By Mr. ASHBROOK: A bill (H. R. 26761) granting a pension to Rachel A. Graham; to the Committee on Invalid Pensions.

By Mr. BROWNING: A bill (H. R. 26762) granting a pension to Harriet P. Hale; to the Committee on Invalid Pensions.

By Mr. BURKE of Wisconsin: A bill (H. R. 26763) granting an increase of pension to Thomas P. Wentworth; to the Committee on Invalid Pensions.

By Mr. COOPER: A bill (H. R. 26764) granting an increase of pension to Mary F. Deane; to the Committee on Invalid Pensions.

By Mr. CRAGO: A bill (H. R. 26765) granting a pension to Jennie McMurtie; to the Committee on Invalid Pensions.

By Mr. DAUGHERTY: A bill (H. R. 26766) granting a pension to Nicey A. Laderach; to the Committee on Invalid Pensions.

Also, a bill (H. R. 26767) granting a pension to Almyra Vancil; to the Committee on Invalid Pensions.

Also, a bill (H. R. 26768) granting an increase of pension to Elizabeth W. Wilcox; to the Committee on Invalid Pensions.

Also, a bill (H. R. 26769) granting an increase of pension to Emily A. Kennedy; to the Committee on Invalid Pensions.

By Mr. DAVIDSON: A bill (H. R. 26770) granting an increase of pension to Horatio D. Elliott; to the Committee on Invalid Pensions.

By Mr. GILL: A bill (H. R. 26771) for the relief of James Bartlett; to the Committee on Military Affairs.

Also, a bill (H. R. 26772) granting a pension to Helen Hascall Woodward; to the Committee on Pensions.

Also, a bill (H. R. 26773) to correct the military record of John Quinn; to the Committee on Military Affairs.

Also, a bill (H. R. 26774) granting an increase of pension to Charles G. Sanders; to the Committee on Invalid Pensions.

By Mr. GOEKE: A bill (H. R. 26775) granting a pension to Henry M. Agenbroad; to the Committee on Invalid Pensions.

Also, a bill (H. R. 26776) granting an increase of pension to Levi Boysel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 26777) granting an increase of pension to Maria E. Seib; to the Committee on Invalid Pensions.

Also, a bill (H. R. 26778) granting an increase of pension to James Ligget; to the Committee on Invalid Pensions.

Also, a bill (H. R. 26779) granting an increase of pension to Alexander Fleming; to the Committee on Invalid Pensions.

By Mr. HINDS: A bill (H. R. 26780) granting a pension to Charles H. Boyd; to the Committee on Invalid Pensions.

By Mr. HOLLAND: A bill (H. R. 26781) for the relief of Ida Banks; to the Committee on Claims.

By Mr. KAHN: A bill (H. R. 26782) granting an increase of pension to Dorothy E. Bacon; to the Committee on Invalid Pensions.

By Mr. LAWRENCE: A bill (H. R. 26783) granting an increase of pension to Mary M. Jones; to the Committee on Invalid Pensions.

Also, a bill (H. R. 26784) granting an increase of pension to Simon Hoafmyre; to the Committee on Invalid Pensions.

Also, a bill (H. R. 26785) granting an increase of pension to William H. Hinckley; to the Committee on Invalid Pensions.

By Mr. McKELLAR: A bill (H. R. 26786) for the relief of C. B. McKee, administrator de bonis non of John R. McKee; to the Committee on War Claims.

Also, a bill (H. R. 26787) for the relief of the Court Avenue Presbyterian Church, incorporated as the First Cumberland Presbyterian Church of Memphis, Tenn.; to the Committee on War Claims.

By Mr. MAHER: A bill (H. R. 26788) granting an increase of pension to Rosa T. Wallace; to the Committee on Invalid Pensions.

Also, a bill (H. R. 26789) granting an increase of pension to Mary T. Hartigan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 26790) granting an increase of pension to Frank T. Sickler; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 26791) granting a pension to Daniel M. Blevins; to the Committee on Pensions.

Also, a bill (H. R. 26792) granting a pension to David A. Patton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 26793) granting a pension to Charlie Forbes; to the Committee on Pensions.

Also, a bill (H. R. 26794) granting an increase of pension to William Collins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 26795) granting an increase of pension to John J. Wolfe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 26796) granting an increase of pension to Samuel C. Robertson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 26797) granting an increase of pension to Edward McClellan; to the Committee on Invalid Pensions.

By Mr. SHERWOOD: A bill (H. R. 26798) granting a pension to Mary Earle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 26799) granting a pension to Anna M. Consaul; to the Committee on Invalid Pensions.

Also, a bill (H. R. 26800) granting an increase of pension to John W. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 26801) granting an increase of pension to Hilland Goodwin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 26802) granting an increase of pension to Albert S. Bloomer; to the Committee on Invalid Pensions.

By Mr. STERLING: A bill (H. R. 26803) granting an increase of pension to Sterrett McClellan; to the Committee on Invalid Pensions.

By Mr. TILSON: A bill (H. R. 26804) for the relief of Allen M. Hiller; to the Committee on Military Affairs.

By Mr. WHITACRE: A bill (H. R. 26805) granting a pension to Austin P. Walker; to the Committee on Invalid Pensions.

By Mr. YOUNG of Kansas: A bill (H. R. 26806) granting an increase of pension to Samuel Amich; to the Committee on Invalid Pensions.

Also, a bill (H. R. 26807) granting an increase of pension to Sylvester Cary; to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ASHBROOK: Petition of Eventide Council of the Daughters of America, of Coshocton, Ohio, favoring the passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. BURKE of Wisconsin: Paper to accompany bill (H. R. 14192) granting a pension to Flora Tuscott; to the Committee on Pensions.

By Mr. FULLER: Petition of David Felmley, president of the Illinois State Normal University, favoring the passage of the vocational education bill (S. 3); to the Committee on Education.

Also, petition of A. H. Bliss, Chicago, Ill., favoring passage of House bill 2920, pensioning military telegraphers; to the Committee on Invalid Pensions.

By Mr. GILL: Petition of the American Federation of Labor, favoring enactment of legislation decreasing the tax on oleomargarine; to the Committee on Agriculture.

By Mr. HAMLIN: Papers to accompany bill (H. R. 1811) to grant a pension to Marion West; to the Committee on Invalid Pensions.

By Mr. HINDS: Memorial of Capt. Charles H. Boyd; to the Committee on Invalid Pensions.

By Mr. KAHN: Petition of John H. Robins, of San Francisco, Cal., favoring the passage of the Kenyon-Sheppard liquor bill, preventing shipment of liquor into "dry" territory; to the Committee on the Judiciary.

By Mr. KINKEAD of New Jersey: Petition of the Intercontinental Rubber Co., Jersey City, N. J., favoring the passage of House bill 26377, to establish a United States court of patent appeals; to the Committee on the Judiciary.

By Mr. LAWRENCE: Petition of merchants of Greenfield, Mass., favoring enactment of legislation giving the Interstate Commerce Commission further power toward controlling the express rates; to the Committee on Interstate and Foreign Commerce.

By Mr. LEE of Georgia: Papers to accompany bill (H. R. 26702) granting a pension to Stacy Ann Wacker; to the Committee on Invalid Pensions.

By Mr. LINDSAY: Petition of the Chamber of Commerce of the State of New York, protesting against the placing of the Board of General Appraisers under control of any department of the Government; to the Committee on Expenditures in the Treasury Department.

By Mr. NEEDHAM: Petition of dairymen of Texas, protesting against the passage of any legislation removing the tax on oleomargarine; to the Committee on Agriculture.

By Mr. OLMSTED: Petition of the Woman's Home Missionary Society of Carlisle Presbytery, favoring passage of a bill abolishing polygamy in the United States; to the Committee on the Judiciary.

By Mr. SLOAN: Petition of the Union Thanksgiving Services, Osceola, Nebr., favoring passage of an effective interstate liquor bill; to the Committee on the Judiciary.

By Mr. TILSON: Petition of the New Haven Chamber of Commerce, favoring passage of bill (H. R. 26277) creating a final court of patent appeals; to the Committee on the Judiciary.

By Mr. UNDERHILL: Petition of citizens of Seneca Falls, N. Y., favoring a reduction in the duty on raw and refined sugars; to the Committee on Ways and Means.

## SENATE.

FRIDAY, December 6, 1912.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

ALBERT B. FALL, a Senator from the State of New Mexico; ASLE J. GRONNA, a Senator from the State of North Dakota; WILLIAM J. STONE, a Senator from the State of Missouri; and JOHN S. WILLIAMS, a Senator from the State of Mississippi, appeared in their seats to-day.

The Secretary proceeded to read the Journal of yesterday's proceedings when, on request of Mr. BRANDEGEE and by unanimous consent, the further reading was dispensed with, and the Journal was approved.

### DISPOSITION OF USELESS PAPERS.

The PRESIDENT pro tempore (Mr. BACON). The Chair lays before the Senate a communication from the Secretary of War transmitting, pursuant to law, reports of the chiefs of the several bureaus of the War Department, listing papers in their respective offices not needed or useful in the transaction of business and having no permanent value or historic interest and recommending the disposal of the same.

The communication will be referred to the Joint Select Committee on the Disposition of Useless Papers in the Executive Departments. The Chair appoints as the committee on the part of the Senate the Senator from Arkansas [Mr. CLARKE] and the Senator from New Hampshire [Mr. BURNHAM].

The Secretary will notify the House of Representatives of the appointment of the committee on the part of the Senate.

### REPORT ON ORDNANCE AND FORTIFICATIONS.

The PRESIDENT pro tempore laid before the Senate the Twenty-second Annual Report of the Board of Ordnance and Fortifications for the fiscal year ended June 30, 1912, which was referred to the Committee on Military Affairs and ordered to be printed.

SPRINGFIELD ARMY AND ROCK ISLAND ARSENAL (H. DOC. NO. 1065).

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting, pursuant to law, statements of the expenditures, etc., of the Springfield Armory, Mass., and at the Rock Island Arsenal, Ill., for the fiscal year ended June 30, 1912, which, with the accompanying paper, was referred to the Committee on Military Affairs and ordered to be printed.

CHARLES J. ALLEN V. UNITED STATES (S. DOC. NO. 969).

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact and conclusion filed by the court in the cause of Charles J. Allen v. United States, which, with the accompanying paper, was referred to the Committee on Claims and ordered to be printed.

### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed a bill (H. R. 22593) to amend an act entitled "An act to regulate commerce," approved February 4, 1887, and all acts amendatory thereof, by providing for physical valuation of the property of carriers subject thereto and securing information concerning their stocks and bonds and boards of directors, in which it requested the concurrence of the Senate.

### PETITIONS AND MEMORIALS.

Mr. McCUMBER presented petitions of sundry citizens of Inkster and Valley City, in the State of North Dakota, praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which were ordered to lie on the table.

Mr. ASHURST presented a petition of members of the Arizona Mission of the Methodist Episcopal Church of Bisbie, Ariz., praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which was ordered to lie on the table.

Mr. BROWN presented resolutions adopted by the Chamber of Commerce of North Platte, Nebr., favoring the enactment of legislation providing for the establishment of agricultural extension departments in connection with the agricultural colleges in the several States, which were referred to the Committee on Agriculture and Forestry.

Mr. RICHARDSON presented a resolution adopted at the Christian Endeavor Convention held at Laurel, Del., favoring the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which was ordered to lie on the table.

### BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMOOT:

A bill (S. 7618) granting an increase of pension to John Miller (with accompanying papers); to the Committee on Pensions.

By Mr. GALLINGER:

A bill (S. 7619) for the relief of Laetitia M. Robbins (with accompanying papers); to the Committee on Claims.

By Mr. MARTINE of New Jersey (for Mr. BRIGGS):

A bill (S. 7620) for the relief of Ernest C. Stahl; to the Committee on Military Affairs.

By Mr. MARTIN of Virginia:

A bill (S. 7621) for the relief of James C. Hilton; to the Committee on Naval Affairs.

By Mr. OVERMAN:

A bill (S. 7622) for the relief of Stanley Mitchell (with accompanying paper); to the Committee on Naval Affairs.

By Mr. TOWNSEND:

A bill (S. 7623) granting an increase of pension to Henry W. Bradley (with accompanying paper); and

A bill (S. 7624) granting an increase of pension to Royal H. Stevens (with accompanying paper); to the Committee on Pensions.

By Mr. McCUMBER:

A bill (S. 7625) for the relief of certain members of the Five Civilized Tribes in Oklahoma; to the Committee on Indian Affairs.